











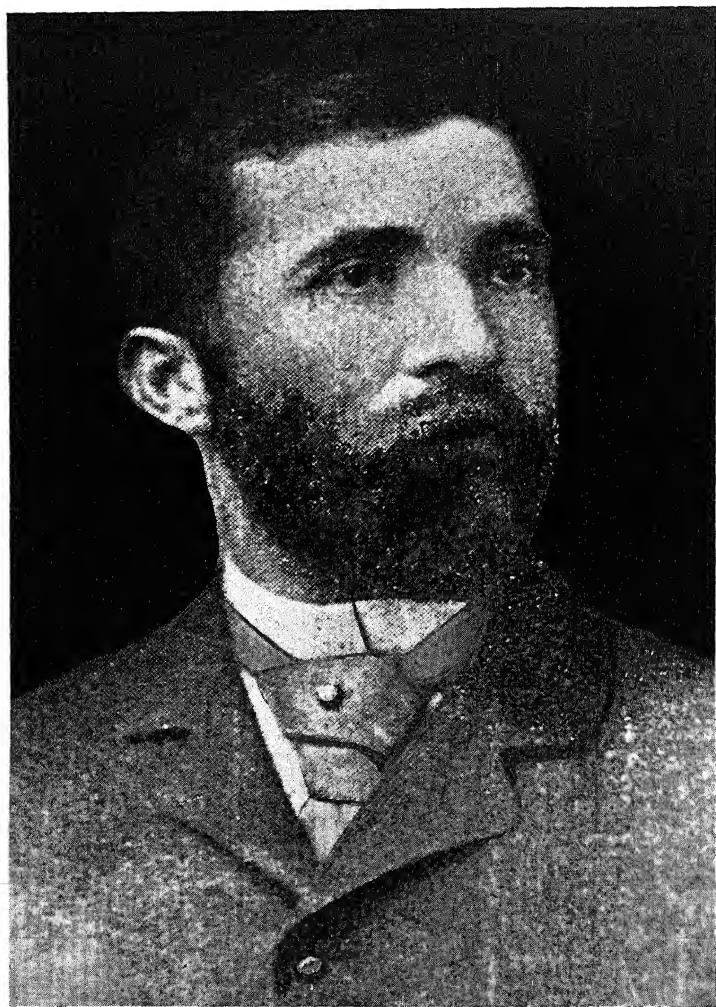




# **THE REIGN OF SOAPY SMITH**







Jefferson Randolph "Soapy" Smith, with whom the manipulation of the shell game, decks of cards, and the trigger spelled Art.

The  
**REIGN**  
of  
**SOAPY SMITH**  
**MONARCH OF MISRULE**

*In the Last Days of the Old West  
and the Klondike Gold Rush*

By  
WILLIAM ROSS COLLIER  
and  
EDWIN VICTOR WESTRATE

*ILLUSTRATED FROM PHOTOGRAPHS*

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## INTRODUCTION

CURIOUSLY and unaccountably neglected by the historians, Jefferson Randolph Smith, who surrendered the names which breathed his Southern ancestry for the homelier appellation of "Soapy," was one of the most extraordinary figures of the pioneer West. That it is possible to present a full picture of his spectacular career now is due to the indefatigable efforts of William R. Collier in tracing out his life. Mr. Collier himself has grown up with the West of which he writes. His father, who located in Central City, Colorado, in the early days, was the first photographer ever to establish a camera studio in the Rockies. The striking photographs with which this work is illustrated include original negatives taken by the elder Collier, giving the story unusual authenticity. It has been a source of never-ending pleasure to work with Mr. Collier in the preparation of this yarn of the frontier and assist in the presentation of the hitherto little-known chapter of old Western life and the record of the strangely complex character who was its central figure.

EDWIN VICTOR WESTRATE.



# **THE REIGN OF SOAPY SMITH**



## Chapter I

### GREEN BAIT

“WAKE up! Wake up, you dreamers, and listen to me!”

The motley crowd which thronged the busy Denver street on that June day in the late 'eighties turned curious eyes toward the source of the stentorian tones.

“Wake up! The hour has come to face the problems of our country!”

Half a dozen cowhands, lazing in the sun, some visiting stockmen, a few horse wranglers, and a tourist or two, idly ready for any diversion, drifted toward the speaker.

“One question—the supreme question—before us today is vital to the welfare of the republic!”

Tall, lithe, he was an arresting figure, and the flashing eyes which gleamed from the youthful face belied the impression of greater age his jet-black beard obviously sought to create. He had taken his stand a few yards from a corner on Seventeenth Street, half a block from the old Elephant Corral in the Colorado capital. Before

him, on a low tripod, was an open sample case of liberal dimensions, the typical "tripe" and "keister" of the street hawker.

As he continued his smooth-flowing oratory, a growing crowd pressed forward to gaze interestedly at the contents of the sample case, surprised to see only a stack of blue wrapping paper and a considerable number of two-inch cubes of some white substance.

"Gentlemen, the all-important question which I propound to you and for which I earnestly seek the answer is this: *How are you fixed for soap?*"

A quick smile flashed across the face of the speaker as he paused for the briefest moment, then went on:

"I hear no response. I fear I embarrass you. In all honesty, gentlemen, most of you look as though you needed soap, and your silence distresses me.

"But, seriously, though my message is that of soap, it is, likewise, a message of hope. For today, to meet that great need which is so apparent in you, I bring a new soap—a wonder soap." He held one of the white cubes aloft. "Here is the finest cleansing product ever brought forth by man's scientific ingenuity, the fruit of many weary months of patient research and experiment in my own laboratories.

"Use this soap upon your skin and it will shine



like the moon, and your face will gleam with the radiance of the sun at noonday. Is that bald spot growing? Use this soap and patriarchal locks once more will adorn your brow. Is your hair turning gray? Wash your scalp with this soap and to the silver threads will return the pristine glory of youth. Does conscience keep you tossing, sleepless, in the silent watches of the night? Use this soap and wash your sins away.

“Perhaps this glorious chance to purify body and soul should be enough, but, gentlemen, I offer you far more than this. On this day of all days, to introduce this marvelous product, I am giving—yes, *giving*, my friends—enormous cash prizes to those upon whose shoulders the Goddess of Luck has taken her perch. Cleanliness, gentlemen, is next to godliness, but the feel of good, crisp greenbacks in the pocket is Paradise itself. Step up, my friends, and watch me closely.”

From his wallet he extracted a bundle of greenbacks and dropped them into the sample case, their denominations impressively visible—a hundred, several fifties and twenties, numerous ones and twos.

“Through posterity, my friends, my fame will rest upon this soap—this boon to mankind which I am offering to you.”

Swiftly, dexterously, he began wrapping the

soap cubes in the blue paper. At intervals, with apparent nonchalance, he enclosed a cube in one of the greenbacks; then he wrapped the blue sheet tightly about money and soap and tossed the package carelessly into the growing pile.

"Now, gentlemen, I am offering this miracle-working soap at twenty-five cents—if you wish to buy the soap alone. If there be any such among you,"—this in a very deprecating voice—"I will accept your quarter and you will find it the best two-bit investment you ever made.

"*But*—if you have any sporting blood and wish to take a chance on winning one of those little green papers with the big numbers on them, ranging up to one hundred dollars, I will sell you a bar of soap from these I have already wrapped, for the ridiculous price of five dollars—and you will have the privilege of drawing your own package.

"If you have been watching me as closely as I hope, it should be simple to select a bar of soap wrapped in real money—and the first man up has the best chance." He lifted several of the intriguing, wrapped cubes and permitted them to drop back into the pile.

"Who will buy? Who will take a chance on winning a hundred-dollar bill, a fifty, or even such small change as a twenty—all for five dollars? Think of it, men, if you land the hundred,

you make 2,000 per cent. profit on your investment!

"What? No answer from the great unwashed? Gentlemen, you amaze me. I am astounded. But, no. I understand. You want proof—proof that I am willing to give you something for nothing, in order to convince you of the miraculous properties of this soap. Very well. So be it. The customer is always right, and I aim to please. Now, listen carefully.

"If anyone in this crowd will show me ten dollars in gold, in silver, or in currency, I will give him a ten as a present—free—gratis—for nothing. Could anything be fairer than that? Is there a ten among you? Not one? Remember that the first man who shows me a ten gets a ten."

A rangy cowboy, in red shirt, chaps, sombrero, high heels, and clanking spurs, a bit unsteady after a session at the bar of the Elephant Corral, elbowed his way to the fore.

"I'm yore man," he drawled. "I call your bluff. Here's my ten, stranger. Take a good look at it." He dangled a bill high in the air, so all could see.

The bearded young soap dispenser smiled.

"Right you are, my friend," he said, "and here's my ten." He dipped his fingers into his vest pocket and brought forth a thin dime which he dropped into the horny palm of the cowpuncher. "There you are, you're welcome to it my man. You win.

I lose and I ask for no sympathy. I'm game. I always keep my word and pay my debts. I said a ten for a peek at a ten and I've given it to you. So, now, we're all square."

The indignant howl of the discomfited cowboy was drowned in the roars of the crowd's laughter, and the ice was broken. An unkempt individual stepped forward, extended a five-dollar gold piece, and reached for one of the bars of soap.

"I been watchin' this one," he said, with a chuckle. While the crowd surged toward him, he unwrapped the soap cube and gave a shrill yip of triumph as he waved a fifty-dollar bill over his head. "Got you, stranger," he shouted, gleefully, pushed the money into his wallet, and vanished into the crowd.

Business came with a rush. Gold, silver, and bills in five-dollar amounts poured into the hands of the salesman. The wrathful cowpuncher forgot his indignation and was among the first to buy, grunting disappointment anew when he found he had drawn a blank, but immediately investing the other half of his ten-dollar bill for another draw, which was equally fruitless. An amazing number of the speculators found their packages to be blanks or, at best, containing no more than one- or two-dollar bills. Even when the wrapped cubes were practically sold out, not more than half a dozen

bills of larger denomination had been retrieved of the apparently much greater number which the soap salesman had enclosed in the packages.

For two hours business went on briskly. At the end of that time the crowd had dwindled to a handful, and the salesman closed his sample case and folded his tripod. Then he walked rapidly down the street. Arrived at one of the typical hotels of the Denver of that day, he went up to a room, where he found half a dozen curiously assorted men awaiting him. A close observer at the soap stand would have recognized them as the only purchasers who had won more than two dollars. Now, with one accord, they extended their winnings to the salesman extraordinary.

"Here y'are, Soapy," they said, one adding, "Looked like a good haul today."

"Not so bad," he replied. He counted the bills carefully. "All present and accounted for. I thought for a while I had slipped, but I was pretty sure these were all I had left in the pile for you to pick up." He stowed the money away. "How about a drink?"

This then was Jefferson Randolph "Soapy" Smith—at the age of twenty-eight, just on the threshold of his career; for the next ten years to be unchallenged King of Bunco throughout the West;

## 8 THE REIGN OF SOAPY SMITH

and already chief of a gang which for sheer cussedness was unrivaled.

Recognition of his supremacy already awaited him. From his corner soap stand in the streets of Denver he was destined to rise to absolute mastery of cities. During his reign, history was made on the last frontiers, and to that history the fruits of his wryly twisted soul was to contribute no little.

## Chapter II

### SOAPY SMITH WINS HIS NAME

THE wild, untrammelled West of the last quarter of the nineteenth century produced no more unique figure than Jeff Smith. Soldier of fortune and impostor unparalleled, master of every "con" game and philanthropist, ruler of rogues and vagabonds and friend of the friendless, protector of criminals and builder of churches, this King of Misrule was as many-sided as he was incomprehensible.

Of all the famous figures of the old West, he alone stands out as a maze of inexplicable contradictions. At mention of Billy the Kid, Wild Bill Hickok, Buffalo Bill Cody, Bat Masterson, and others, clear-cut pictures are conjured up by the outstanding characteristics which motivated their lives and made them notable. But Soapy Smith fits no formula.

Neither gunman nor ruffian, but always a lawless marauder, he was the Robin Hood of the frontier. Continually at odds with the law, which pursued him in endless exasperation, he was, frequently, the law's best friend.

In many respects he was Public Enemy No. 1 in the West of his times. He had an unconquerable aversion to making money by honest methods. By the thousands, victims of his chicanery raised their voices in futile lamentation. The bitter enemies which were the inevitable result of his practices constantly threatened his life. Willis A. Loomis of Los Angeles, one-time chief of police of Leadville, Colorado, and later chief of detectives of Denver, who knew Smith well, said, "Whenever possible, Soapy avoided gun play, but more often it was not possible. He was mixed up in all kinds of shooting scrapes and a few killings. When the time came to use a gun, he was mighty fast on the draw, a lot more so than most of the so-called professional gun men." But they were legion who blessed Smith's name for his championing of the cause of the outcast, for his seemingly limitless charities, his kindness, and his unquestioned sincerity in his personal relationships.

Pleasant-faced, well met, he inspired respect and confidence at first contact—the secret of his tremendous success as a "con" man. In stature Smith was a little above medium height and rather slight of physique, but was dapper in appearance, genteel in conduct, and pleasing in address. His eyes were dark, his ears squat, and his walk revealed the springy step of the man who



spends his life in the open. Though he boasted no great physical strength, he was extremely agile and an expert horseman, an utterly fearless individual, with nerves of tempered steel.

Through all the lawless trek of his life, he rode high in his overlordship of the frontier underworld, no hero but a picturesque, often a gallant, figure. The careless, almost insolent bravado of his conduct always was mellowed by the fascination and strength of his personality, and he commanded unshakable devotion and loyalty from his followers. He never missed an opportunity to separate the gullible from ready cash. Neither did he ever miss an opportunity to preach and practise the gospel of kindness and compassion.

Evidences and indications are many along the trail of his life that he was frequently tempted to abandon his lawless existence and seek to merit the approbation of his fellow men; but he clung to a stubborn conviction that he could not turn back, and so he followed his chosen road to the inevitable end.

The chronicle of his life begins in an era of strife and contention which, unquestionably, affected his whole existence. Born in Georgia in 1860, the son of a prominent Southern family, the atmosphere of the Civil War and the tragic Reconstruction years marked his boyhood, filling him with a rest-

less discontent and a wanderlust which caused his parents no little anxiety. His dissatisfaction with the apparently hopeless conditions surrounding him was increased by the glowing tales he heard of life in the Far West. Hence there was regret, but little surprise, when, as he approached manhood, he vanished from the parental roof.

Striking due west, the roistering life of the cowboys won him when he reached Texas. Becoming one of them, he entered upon a life as adventurous as he had dared hope for. The old Chisholm Trail between San Antonio and Abilene often heard the hoofbeats of his cayuse. Hell's Half Acre at Dodge City came to know him well. Among his acquaintances he numbered many of the famous buffalo hunters, border-town marshals whose exploits were to become legendary, professional gunmen, tin-horns, and cattle rustlers. But his most intimate friend was, like himself, a runaway from home and a cowboy, a Texas youngster by the name of Joe Simons. Theirs was an enduring comradeship, marking one of the deepest friendships of Smith's life and continuing as long as either lived.

Together they rode the range, driving great herds of Texas longhorns over the plains the year around, choking in the heavy clouds of dust raised by the plodding steers in arid midsummer, or drenched to the skin as they plunged through the

raging torrents of the Cimarron, the Canadian, and the Brazos in the flood seasons, their way lighted by vivid lightning flashes while the bellowing of the beasts mingled with thunder crashes and the swish of pelting rain.

The hours were long and the work was hard, but the life was vigorous and thrilling, and Jeff Smith might have lived and died on the range had he not been overtaken by a sudden misfortune after he had been riding herd for some years. It was not so devastating, as disasters go. Neither was it an unusual catastrophe, but it was just enough to alter completely the trend of his life and thus, in its own way, leave its mark upon border history.

Circus days were big events in the cow country, and when the announcement came that the big top was to be raised in San Antonio for a day, young Smith resolved to make an occasion of it. Joe Simons was unable to accompany him, so he went alone. With a month's wages in his pocket, he rode into San Antonio in the morning, to find the gala spirit already manifest on all sides. The townsfolk were out in force, and hundreds of cowhands were drifting in from every direction, while sharpers and hawkers already were barking away on the street corners.

While waiting for the big parade, Jeff's attention

was caught by one of these, offering a type of diversion he had never seen before. A man was standing behind a table which held nothing except three half walnut shells, beneath one of which, at intervals, he would place a pea. He then would slide the shells about in quick confusion and challenge one and all to bet with him as to which shell covered the pea.

Jeff stopped, looked, listened—and was lost. He didn't know he was face to face with "Clubfoot" Hall, one of the greatest shell-game experts of all time, but, if he had, it is doubtful that this would have deterred him. He was sure he could follow the trail of the pea. So he tried it. Then he tried it again—and again—and again. . . .

Jeff Smith didn't see the circus that day. When he left Hall's stand, he couldn't have bought a sandwich. Seeing no purpose in remaining in the festive atmosphere, penniless, he mounted his horse, dejectedly, and rode back to the ranch.

As the black clouds of bitterness descended upon his youthful soul, he didn't know that he had reached the turning point of his life. But, as he jogged along, he began pondering what had happened to him. Most sharply etched on his gloomy mind was the realization that, in a few minutes, the suave, clubfooted shell man had acquired all

the money for which he himself had toiled arduously an entire month.

By the time the home corral was in sight, Jeff had reached the conclusion that he was in the wrong business. Playing with those shells—provided one was the manipulator—seemed vastly easier and far more profitable than rounding up a herd of thirsty, unruly steers.

Throughout his life, for Smith to decide meant to act, so he acted now. Always potently persuasive in manner and speech, he made the rounds of his range comrades and managed to borrow a few dollars. Then he quit his job and hurried back on the trail of the circus. Let it be said, in passing, that he repaid every cent loaned to him.

In the wake of every big tent show of those days were hanger-on squads of grafters, grifters, and crooks. Young Smith picked up their acquaintance easily enough and, in a few days, he was one of them. His native intelligence, combined with his natural agility and a pair of deft hands, soon made him a capable assistant to the masters of his new profession, and they found him a desirable and valuable adjunct.

It was typical of him that he had no qualms of conscience. He had never harbored resentment against Clubfoot Hall, believing that, since he had

been foolish enough to fall for the blandishments of the shells, his loss had been only his just due. So, now, he felt that he was perfectly justified in seeking to bilk any other moneyed innocent.

In due course the tent shows went to Colorado and Smith found himself, for the first time, in the state where he was to pursue most of his spectacular career. Arrived at Leadville, then in the height of its glory as a gold-boom town, he encountered an entirely new method for trapping the unwary—the soap game. That he had not known of it before was not remarkable. Its originator, a man named Taylor, created it at Leadville, and he found business so good there that he never went afield.

Smith first saw Taylor in action at the latter's customary post, the corner of Third Street and Harrison Avenue, and was intrigued at once. After watching the game for a while, he felt sincere admiration for the deftness and skill of the salesman, who, in turn, found his attention drawn to the young man who watched him so intently and with such apparent understanding. When Smith nonchalantly gave Taylor the sign of the bunco brotherhood, the latter acknowledged it and, at the first opportunity, requested Jeff to see him later. In the conversation which followed, he persuaded the young and promising sharper to leave

the circus trail and join forces with him in Leadville, which proved another milestone in Smith's career.

"Taylor was quite a character himself," said Willis Loomis, in reminiscing of his Colorado police days. "He never drank, smoked, or went into saloons. Every afternoon he opened his game at the principal street corner, ran it for about an hour, and closed up. He paid his license and obeyed the law. I used to watch him for half an hour at a time, and I never could figure out how he switched the cubes so that the suckers always got the worst of it.

"Among his boosters was a green-looking kid—they called him Smith—who would walk up and pick out a lucky soap cube. The kid would whoop with joy on finding the soap was wrapped in a twenty or a fifty, and this would encourage the crowd to buy. Nobody knew, or cared, who the kid was or where he came from. Personal questions weren't asked in those days at Leadville. They were always out of order.

"Taylor was a heavy-set, genteel sort of man and looked more like a prosperous business man than a sharper. Whether Taylor was his real name I never knew. There was a rumor that he was an absconding bank cashier, but I never received any inquiries about him at my office. One day he

dropped out of sight as quietly as he came, and I never heard of him again. When Taylor disappeared, the Smith kid vanished, too.

“Some time passed and, when I went to Denver, I saw him again. He had grown a black beard and was working the game just as Taylor had. After Taylor quit, Jeff Smith had the game to himself, and he was very successful. Shell men the country over tried to imitate him but, somehow, they couldn’t get the knack of handling the soap. Besides, Jeff outclassed them all in making the spiel, and he had a natural gift for sleight-of-hand.

“He did so well that, before long, everybody who knew him in Denver was calling him ‘Soapy,’ and the name always clung to him. We never had much trouble with him. He had a lot of good qualities and made a lot of real friends.”



### Chapter III

## THE COLORADO THAT WAS

TO UNDERSTAND thoroughly the spectacular and devious career upon which Jeff Smith had now been launched and how it was possible at all, it must be realized that the lawlessness of the frontier of his day was far different from today's more "civilized" and insidious criminality, whose vicious tentacles permeate every walk of life.

In Colorado, during the late 'eighties and the 'nineties, there was a sharp line of demarcation between the criminal and the law-abiding elements. The outlaw was known for what he was, and his success depended upon the speed of his draw and his personal fearlessness rather than upon corruption in high places. The man who died at the pistol point usually did so facing his enemy with his own gun in his hand, after an open challenge.

While there are plenty of black marks on the records of feuds in the hinterlands of the sheep and cattle country and paid assassins sometimes were employed in these regions, hired killers were unknown in settled communities, and the expression "taken for a ride" was still in limbo.

Forgery was practically unknown in Colorado during the 'eighties. In the gold-boom city of Leadville, the largest city in the state at that time, years passed before the first "rubber" check made its appearance.

The general conception of what constituted heinous wrong-doing was far different from that of the present day. The blackest crime of the frontier was horse-stealing, and horse thieves were pursued relentlessly by the Rocky Mountain Detectives Association, commanded by General D. J. Cook, a shrewd, wary, and fearless Nemesis of criminals.

Individuals who attended to their own affairs received due protection, but trouble was easy to find for those who sought it. Saloons, gambling houses, red-light resorts, and opium joints were wide open, enjoying the benefit of great tolerance. "Slickers" from East and West invaded the cities and trimmed the gullible without restraint, so long as they kept out of real trouble and did not openly defy the law. No restrictions were placed upon the sale of morphine or cocaine. A pill box full of either of these drugs could be purchased for ten cents over the counter of any drugstore.

Sale of liquor to minors was sternly forbidden, and the saloon men gave hearty coöperation to the authorities in enforcing this regulation. Boys caught smoking cigarettes were trounced by their

parents. For a girl with any essence of respectability to puff a cigarette was unthinkable and unheard of.

The cities, though populous, were, for the most part, crudely fashioned and primitively constructed, the typical earmarks of the boom town.

Horse-drawn cars rattled in the dirt streets of Denver. One famous line, which ran uphill, had its compensations for the horse. After he had pulled the car up the grade, he mounted a trailer and had a free ride on the return trip.

High, choking collars and huge puff ties were fashionable for men, and the gold-headed cane was still in evidence. Bustles, wasp waists, trailing skirts, and huge hats, fearfully and wonderfully made, were fashion's decree for women.

As to money, gold and silver coin held unchallenged precedence over currency, in which the populace placed little trust. Precious metal they understood, and they knew its value. Paper simply didn't register. Its convenience for large amounts of money was recognized and, therefore, large-denomination currency was accepted, though grudgingly. Few of the real Westerners would carry or handle bills of smaller value than ten dollars. To show a preference for one- and two-dollar bills rather than silver was the mark of the tenderfoot and the Easterner. Copper pennies had no

standing whatsoever in the marts of trade and were not accepted in payment for goods.

At the time of Jeff Smith's arrival in Denver, anyone who was ambitious to start any "con" game, new or old, could do so there, without hindrance. *Caveat emptor* was the only law protecting the players, of whom there were always great numbers, usually miners from the near-by Rockies or cowboys from the far-flung ranches.

The outstanding haunt of Denver was the combination Palace Theater, dance hall, saloon, and gambling den, operated by Ed Chase, pioneer gambler, who ruled his place with an iron hand, a hand which always had one finger on the trigger of a double-barreled shotgun, loaded with slugs. With this persuasive and deadly piece of artillery across his knees, Chase sat perched, hour after hour, where he could see and regulate the activities of his uproarious establishment.

Farther uptown, scattered among the legitimate business houses, were other none too savory resorts. The Arcade was the leading gambling house and saloon, with Murphy's exchange running a close second. Murphy's place was more popularly known as the Slaughter House, by reason of the many shooting affrays which occurred there with fatal results. Other prominent gambling joints were Clifton Bell's, the Morgue, the Chicken Coop, the

Bucket of Blood, and a large assortment of lesser traps for the unwary.

Lurid Holliday Street, the red-light district, where bedizened damsels reached from open windows to snatch off the hats of passing male pedestrians—which could be redeemed in one way only—was set down as an area to be given a wide berth by all the respectable folk of the city. So glaring did its reputation become that, in after years, when the street was cleaned up, its name was changed to Market Street.

When his mentor in the soap game divulged to Jeff Smith his intention of abandoning his craft, he freely bestowed upon his apt pupil the full privilege of carrying on. Young Smith already had cast his eyes toward Denver, which, as the capital of the state, was growing steadily both in population and importance.

So, when Taylor left Leadville, Smith did likewise and headed for Denver at once. Arrived there, he looked the field over and decided to establish operations on Seventeenth Street, the then unpaved thoroughfare leading from the Union Station to the center of the city. No formalities were necessary for starting business. He simply took his tripe and keister to a favorable corner, opened up, and started his chatter.

Business was not too good at the outset. This was his first venture alone, and he discovered that the extreme youth of his appearance reacted against him. Prospective customers were inclined to laugh at his spiel instead of being impressed by it. Therefore he set about rectifying that difficulty immediately by permitting his beard to grow, a step which proved highly effective.

Moreover, in those early days, he could command the services of but few assistants. Other members of the bunco fraternity active at that time in Denver were inclined to treat his efforts with tolerant amusement. But Smith refused to be either abashed or discouraged, and perseverance in driving toward a goal was always one of his chief characteristics.

He stood his ground, developed his spiel and his methods to suit his own particular abilities and personality and, in an incredibly short space of time, confounded his early detractors by developing an extraordinary degree of success. Despite his youth, he quickly commanded the genuine respect of his brothers in fraud and gained such a degree of prosperity that the police soon came to recognize that here was a new and potent figure in the "con" world.

It is a curious commentary on the ethics of the times that, once the police authorities took notice

of him, he was able to make a gentlemen's agreement with them that he would be undisturbed if he devoted his attention to the strangers within the gates, leaving the townspeople alone.

Denver residents stopped often to watch him but were pointedly invited not to speculate. If one of them did fall into his snare and complained to the police, his losings were returned to him and he was warned to have no further dealings with the sharper.

## Chapter IV

### THE UNHOLY COMPANY

TO THE naked eye, Soapy Smith was a lone wolf, operating entirely on his own. Actually, the great extent of his success was made possible by his corps of assistants, as picaresque a band of hand-picked outlaws as ever assembled for wholesale but genteel larceny.

As soon as he had gained a reasonable foothold in Denver, Smith began to gather about him his famous crew. At first he had but two or three "steerers" and "cappers," but, in a short time, his progress was so marked that he began to receive many applications for membership in his entourage. The rising young soap specialist was never hasty in his selections. He looked the field over carefully, and, as the scope of his lawless activities widened, which it did, steadily and consistently, he chose his men one by one, each being taken on for some particular capability which made him valuable.

While the soap game was always his stand-by through thick and thin, Smith, an ardent student of the swindling field, early developed a ready ca-



pability of turning to an infinite variety of methods for acquiring unwary cash by mental and physical dexterity rather than by honest labor. He was past master of the shell game. He could make a pack of cards obey his will in every form of pasteboard pastime. And his agile mind was always at work, devising new schemes for adding to his income.

In all these activities, his unholy crew did their part capably—and profitably. Their chief duty was to ferret out the strangers within the gates whose pockets bulged, make their acquaintance, and bring them by any means other than brute force within range of Soapy's machinations. Once they were brought within the sound of his voice, his silver tongue did the rest.

At the height of the first period of his Denver operations, Soapy's gang numbered nearly a score of picturesque rascals. That they all lived luxuriously is the most revealing fact as to the extent of their chief's brilliant success and the gullibility of his victims.

Chief capper at the soap game during this period was the famous—or infamous—Doc Baggs, elderly and patriarchal in appearance, who lent his services to Soapy while in semi-retirement from his own special profession.

During the gun-blazing days after the Civil War, when the Jesse James and Younger bands were

raiding banks and staging spectacular train hold ups in Missouri and adjoining states, Doc Baggs and his confederates were pursuing a much less violent but equally remunerative line of illegitimate endeavor in Illinois and Iowa and, later, California.

Baggs is credited with the questionable honor of originating the gold-brick game. If not the actual creator of this celebrated method of plucking the innocent, he certainly refined it to the point of perfection. Contrasting with Soapy Smith's mass attacks, whereby he milked crowds around the soap stand, Baggs, in his heyday, selected individual victims with the utmost care for his gold-brick game and always struck for "big money."

When, in his declining years, Baggs joined the Smith troupe, he was sorrowfully disapproving of Soapy's willingness to take his victims for sums as small as five dollars.

"It's as easy to make big money as little money," he was wont to assert. "In my profession, a hundred dollars is just chicken feed. We think in thousands, not tens. Experience has taught me that it is as easy to separate a sucker—the right sucker—from five thousand dollars as from fifty.

"We always offered our services to well-to-do men, holding out the promise that their investments were certain to net them profit in three or four figures, at least—and that's the real bait for

the sucker—particularly if he's the close-fisted kind that always wants something for nothing. Yes, there always was a lot of satisfaction as well as cash profit in trimming some old skinflint who would rob his grandmother if he had a chance.

"So my idea is to go after the thousands and let the tens take care of themselves. That's the only way to get real compensation for the risks we take.

"Soapy follows the practice of heaping up the tens. He should cultivate a higher ambition, choosing his clients carefully and working on them in an efficient manner after he is sure they have plenty of available cash."

However, Doc Baggs failed to mention that his sporadic clean-ups always had to be followed by a quick getaway, whereas Soapy Smith was able to carry on for years at the same location. That Doc Baggs made a number of sizable hauls in the prime of his own career is proved by the police records which marked his trail.

One of his most extraordinary exploits was the sale of two gold bricks to the Honorable Tom Fitch and L. B. Howard, both of the Cedros Mining Company, at San Diego, California. The two victims paid Baggs \$25,000 for their education in the gold-brick art.

The amazing facility with which the gold-brick game achieved success seems almost incredible in

the present day, particularly when the prominence and intelligence of some of the victims is considered. But those were the days when gold was the magic metal of the hour, and the prospect of securing a solid chunk of the precious medium, particularly when surface filings from the brick assayed 100 per cent. pure, held forth a lure that, apparently, was irresistible.

Another outstanding member of Soapy's band was "Judge" Van Horn, ex-lawyer, physically conspicuous for his fiery, bulbous nose. His services as steerer and legal consultant were invaluable to Soapy. In the latter capacity he was fully equipped to guide his chief through every loophole and past every trapdoor in the law.

Judge Van Horn's title was not entirely unmerited. During his more or less legal career, he had once run for the office of justice of the peace, and expert manipulation of the ballot boxes by his cronies had resulted in his election. His fondness for liquor proved his undoing. His thirst interfered so seriously with his legal practice that he yielded to an acquisitiveness for funds entrusted to his care by clients in order to meet his growing liquor bill.

When the clients began to demand the return of their money, the "judge" was able to meet their

requests only with an embarrassed silence. Complaints were made to the Bar Association, which staged an inquiry, in which Van Horn came off second best and found himself expelled from the bar in disgrace.

His vicissitudes, however, failed to dampen his spirits or distress him unduly. Rather, in his new position outside the pale of decent society, he found leisure to invent news way and means for ensnaring the unwily. As a jury fixer he was considered without a peer, and he constantly devised new methods for taking advantage of quirks in the law. However, he found it necessary to change his seat of operations frequently and, after a corkscrew-like career of wandering, eventually landed in Denver, where Soapy found him and promptly took him into his band.

The "Reverend" Charles Bowers, sanctimonious of mien, benevolent in aspect, gentle and persuasive of voice, likewise was a bright star in Smith's constellation. He was a peerless "steerer," owing largely to his expertness as a "grip" man. By methods known only to himself, he learned and practised the grips, distress signs, and other secret signals of virtually all fraternal orders and secret societies. One glimpse of the emblem of any organization on the lapel of a prosperous-looking

individual and Bowers had the proper glad hand extended. From that point on to an investment with Soapy, the road was simple.

Although his activities were confined chiefly to that of advance man, George Wilder was one of the most notable of Smith's mob. His method of approach was always subtle and, usually, irresistible. Wilder was shrewder than most of the band, as he demonstrated by salting away the major portion of his loot. In fact he was the only member of the company, not excluding Soapy himself, who had money in the bank for that inevitable stormy day when "con" careers must end.

"Dolly" Brooks, also known as the "Duke of Halsted Street" was the fashion plate of the illustrious company. "Dolly" was always dressed in the last word of fashion's decree. He appeared in garments of broadcloth, an immense puff tie, high collar, barrel cuffs, top hat, polka-dot silk vest, diamond stud, and "toothpick" shoes, while from his watch chain dangled a gold nugget and a solid-gold toothpick—the last gasp in frontier elegance. In Soapy's scheme of things, he posed as the wealthy capitalist, persuasively urging strangers to avail themselves of the opportunities offered by the bunco men.

"Ice Box" Murphy, box-car tripper, amateur yegg, and one-time running mate of "A No. 1,"

the world-famed hobo, was taken on by Soapy as a booster. Ambitious to be a great safe blower, Murphy's career in that field was irreparably ruined by the fatal blunder which earned him his sobriquet early in his efforts.

His small stature secured him membership in a gang which took him along on a "job" whose objective was to empty the safe of a wholesale butcher shop. The diminutive Murphy was boosted through the transom. Sent in with "soup," putty, fuse, drills, and blanket, he operated alone, in the darkness. Some fifteen minutes elapsed before he unlocked the door from the inside and rejoined his pals. A minute later, the building was shaken by a muffled explosion. The yeggs rushed in—to discover that Murphy had blown the steel refrigerator instead of the safe!

In every direction the floor was strewn with shattered steaks, chops, frankfurters, hams, cutlets, and sides of beef. There was no time to correct the error, and Murphy, in disgrace, was banished forever by the blasting brotherhood. He was never allowed to forget his faux pas, and the name, "Ice Box," was fastened on him in derision. To Smith, however, he had his uses, and he was kept as a member of the soap gang.

Jimmy Thornton, tall, handsome, black-mustachioed gambler, added class to the flashier ele-

ments of the Smith coterie. He was the "lady killer" of the company and was the hero—or the villain—of countless sentimental and romantic affairs and was constantly on the verge of serious consequences through the success of his blandishments.

Tom Cady, famous shell man, second only to Soapy in the deft manipulation of the walnuts and often acting as his chief's relief in the game, was an active sharer in the fortunes of the Smith outfit. He was a cautious individual, rarely permitting himself to be drawn into gun battles, although he was reputed as a sure shot.

"Banjo" Parker, weight three hundred pounds net, of shuffling gait and perpetual thirst, gravitated to the gang and was accepted as a helper and entertainer. He was an easy-going, harmless character, adept at twanging the instrument for which he was named and always welcome at saloons, where he exchanged his music for liquid treats by the cash customers.

"Fatty" Gray, also known by the charming sobriquet of "Shoot-Your-Eyes-Out," was one of the star manhandlers of the gang, delegated to take care of indignant victims who became too violent in their protestations. Gray was that rare specimen, a fat man utterly devoid of a sense of



humor, as ready with his gun as with his fists, willing to go into action at a moment's notice.

Henry Edwards, better known as "Yankee Hank Fewclothes," was unique in Soapy's circle. Heavily bewhiskered, a honey peddler by profession, poet by avocation, "Hank" added many dollars to his income by steering outlanders to the soap stand. He derived his name from the fact that he was never known, even in the coldest weather, to wear a coat, vest, or topcoat. Usually he also dispensed with his shirt. In the Denver city directory of 1890, his name appears as Yank Fewclothes. He neither smoked nor drank liquor and volubly claimed that his scheme of life and apparel was prompted by a desire to emulate the healthy, natural, clothesless existence of the Indians.

He was an unkempt person when Soapy first met him, and while Smith wanted him for his undoubted abilities as a steerer, he heavily disapproved of Hank's appearance.

"Three things in this world make a man look disreputable," Soapy declared at this first encounter: "one old hat and two old shoes." He peeled a twenty from his roll and handed it to the new member of his band. "Here, Hank. Get one new hat and two new shoes. And just because you're a poet, you don't have to look too much like

one. Get a haircut, too. And it isn't a boost for any craft, or clan, Hank to make one shirt last a lifetime. Hit the laundry occasionally and provide yourself with at least three shirts."

After a brief absence Edwards returned, resplendent from head to foot and, in gratitude, he wrote a jingle for his patron, which became famous in the Denver swindling fraternity and, despite its failings from the standpoint of pure poesy, has come down through the years. The rhyme, which caused Smith to dub Edwards as the "Poet Laureate of Seventeenth Street," ran as follows:

*A handsome gent steps out to talk,  
His voice can be heard away a block;  
These words we hear as he hollers his wares  
At the crossing of the thoroughfares:*

*"How are you fixed for soap, boys,  
How are you fixed for soap?  
Move on up to the box, boys,  
How are you fixed for soap?"*

*"Take your choice among the lot,  
Invest a five for a hundred spot;  
Fat's a-fryin', come on the lope  
And pick out your cube of lucky soap!"*

*"Be a sport, there! Show the bunch  
You ain't a-scairt to play a hunch!  
Any poor rube with an eye that's quick  
Can grab a winner and turn the trick!"*

*"Don't shy away from soap, boys,  
Don't shy away from soap;  
Use your brains and snatch the gains;  
Don't shy away from soap!"*

Yankee Hank claimed to be a lineal descendant of that famous Puritan leader, Jonathan Edwards, who chilled his New England congregations into righteousness by his fearsome depictions of the hell fire which awaited the sinner. For the entertainment of his bunco partners, Hank would quote fiery passages from Jonathan's sermon on "The Imminent Peril of Sinners," shouting:

"The God who holds you over the pit of Hell—much as one holds a spider or other loathsome insect over the fire—abhors you and is dreadfully provoked! You are a thousand times more abominable in His eyes than the most venomous reptile is in ours!"

To which Hank would add, as his own contribution, "Take that, you buzzards!"

Syd Dixon, globe trotter and a "playboy" in his younger days, transformed into a social outcast

through addiction to opium, was counted as one of the band, valuable because of the gentility of his appearance and address. The practical side of life interested him but little. He worked only when he needed money to buy more of the poppy product. In many respects Dixon was the most tragic figure in all the wild company—a gentleman born who had sunk to the depths.

“Big Ed” Burns was another member of the heavyweight division of Smith’s crew. He had stumbled into the bunco game as the easiest way to avoid all manual labor. Rough and ready, but good-hearted, his chief duty with Soapy was to ward off the insistent beggars who always trail any successful swindler. Burns’s outstanding vice was a penchant for using cigars as chewing tobacco. He never smoked them.

Jimmy Bruce, known as the “Great Gobblefish,” was only an associate member of the gang. He spent part of his time as a steerer for Soapy but had so many disagreeable qualities that the other associates of Smith were grateful that his company was not continuous.

Bruce’s practices, by comparison, make Shylock loom as a kindly public benefactor. He speculated upon the failings of free spenders, advancing sums of money, for the loan of which he charged a mere 10 per cent. *per week!* Once in Bruce’s clutches, the

unfortunate debtors wallowed in misery until he had been repaid in full. He trailed his victims constantly, clamoring loudly for settlement, embarrassing them whenever possible. It gave him particular delight publicly to demand payment from any officer of the law whose name was on his books, and he was constantly demanding writs of attachment to aid him in collecting from delinquents.

Bruce also acted as a "fence" for thieves, buying their loot at a fraction of their real value and reselling them later at an enormous profit.

He begrudged any sort of expenditure—from his own pocket. Always willing to accept the hospitality of others, he so consistently vanished before his turn to "treat" came around that he made himself universally unpopular. Beset with a continuous thirst, he resorted to various means of quenching it without cost to himself. One of his favorites was to walk deliberately into a horse being driven along the street, then tumble to earth, dusty but uninjured, and cry, "Whisky! Whisky!" until some good Samaritan arrived with a bottle, which the Gobblefish would empty at a single pull. Then he would announce himself fully recovered and walk jauntily off. He repeated this performance so often that the Denver police finally forced him to desist, and he was driven to other devices to evade the necessity of buying his own drinks.

Joe Palmer, a rough, tough individual, handy with a gun, was pressed into service by Soapy as an emergency man, a post which he filled efficiently for many years.

“Frisco Red” Harris, retired and “punch-drunk” prize fighter, a pop-eyed Nordic named Hanson, and “Eat-’Em-Up-Jake” Cohen were underlings in the Smith company. Cohen had the mentality of a child, according to Soapy, who once said, “You never can tell what Jake’s going to do next, because he doesn’t know himself.” However, there was use for even such as these in the confidence game.

Later, during his second regime in Denver, Soapy had the pleasure of welcoming his old Texas pal, Joe Simons, into his fold. In his final Denver days, he also added his own brother, Bascom Smith, to his entourage.

In all, it was a charming company which became one of the closest-knit gangs of the old West and cut a wide swath through the pockets of their fellow citizens. Although they were always ready for trouble—and had plenty of it—they were never a quarrelsome, fighting mob, as compared to most of the lawless frontier gangs. Soapy Smith kept them under excellent control. He gave them an almost passionate loyalty and friendship, and they responded in kind, a factor which, in itself, made

them dangerous to all prospective prey and all others who sought to impede their efforts. The harmony and unity of his forces were the bulwarks of the strength which, from 1888, were to sweep him to steadily increasing power and notoriety. Misfortune interrupted his progress, to be sure, but he always came back to attain greater heights.

Because of the very factors which made Soapy what he was and caused him to assemble the particular characters in his band, the story of his career is not the grim one of most lawless leaders. It is an amazing and spectacular record, punctuated constantly by the crack of the pistol, but bloody viciousness plays little part in it. Rather, there is a grim sort of humor in the manner whereby this strange individual, possessed of so many elements of great strength, offset by so much of deplorable weakness, was able to establish and maintain his domination of the world immediately about him, while the respectable and somewhat bewildered citizenry stood by, uncertain whether to applaud or condemn and ending up by doing both.

## Chapter V

### NICKED, GRIPPED, AND TRIMMED

ORGANIZED effort must, inevitably, defeat the individual, and in this fact lay the secret of the success of the swindling brotherhood which was so marked in the last frontier days. Specific groups, such as that of Soapy Smith, were highly organized in themselves to carry out their schemes. But, beyond this, there was the power of the loosely knit but nevertheless existent brotherhood of all the bunco fraternity. The community of their interest made it necessary for them to support and assist each other whenever occasion demanded, with the result that the unwary outsider was always somewhere within their web.

Working agreements existed between many widely variegated groups which, in themselves, had nothing in common except the intent to pluck the gullible. The Denver bunco crowd enjoyed such an agreement with the far-famed bandit barbers of Seventeenth Street, who conducted a unique racket all their own with a success which was startling,



chiefly because of their ability to maintain it for such a great period.

Utterly unscrupulous, these crooks of shears and razor never showed quarter to the disheveled stranger who wandered through their doors. Each shop held a large placard above the mirrors, listing the price of each service—and very reasonable prices they were. One glance and the customer had no hesitancy in ordering a haircut. But, once he was in the chair, he was given every item on the service list, whether he asked for it or not.

His locks were shorn, singed, and shampooed, treated for dandruff, soaked with tonic; his face was shaved and massaged; his eyebrows, beard, and mustache were trimmed, waxed, and curled. Nothing was missed. And while his face was buried in the bowl for the shampoo, the price list was turned over, so that when the victim came up for air, he would find himself facing a list of costs, each item of which was reminiscent of the national debt. The job completed, he would discover that his bill was anywhere from twelve to twenty dollars.

Protests were futile. The boss barber would point smilingly to the price list, and if the customer's indignation became too violent he would be seized, the amount of the bill extracted from his wallet, and he would then be thrashed and tossed into the

street. Brawls in the bandit barber shops were so frequent that they were accepted as part of the day's activities along the street.

The bunco gangs would send customers to the shops, who repaid in the same coin. When the barber had a customer who, unwittingly, betrayed the fact that he had considerable cash on his person, he was "nicked." That is, the barber, with his shears, left a small but distinguishing mark in the customer's hair, just above the collar line, at the back of the neck. This mark identified him at once to the prowling bunco steerer. The blissfully ignorant "nickee" was usually somewhat bewildered by the extraordinary attentions he received from polite strangers after he left the barber shop. Usually, too, he was much poorer by nightfall.

Living, as they did, by their wits, the bunco artists devised an infinite variety of traps for their "prospects." Experienced in ways and weaknesses of human beings, the steerer quickly sized up the situation and usually selected the right line of attack. But he was always ready for a quick shift. If the victim could not be inveigled into investment at the soap or shell games and showed no inclination to indulge in a friendly game of poker, other inducements were offered, such as investment in the shares of a fake mining company, an interest in a lottery, partnership in some transaction which

promised immediate and immense returns, a share in the profits of a supposedly fixed sporting event, or an interest in a nonexistent gaming establishment.

Fake stock transactions of more recent days are only a development of the schemes of the pioneers who were the first to discover that an infinite number of human beings may be imposed upon easily, if approached properly. Since human nature is subject to little change, the methods employed by the swindlers of a thousand years ago are as effective today.

The smoothness of technique employed by gangs such as that of Soapy Smith was sheer perfection. This was particularly true when they aimed for a big money clean-up, such as was rarely possible at the soap stand.

A tourist who arrived in Denver in the 'eighties, strolling out for a look at the city, would be wholly unaware that his every move was being observed closely by another well-dressed gentleman. If the latter became convinced that more intimate acquaintance might prove profitable, the "approach" was launched.

The visitor, pausing to gaze into the window of a curio shop, would hear a friendly voice at his side:

"A few of those gold specimens are good, but you will notice that some which look like gold

aren't that metal at all. They are pyrites of iron which look so much like the real thing that they sell well to the tourist trade, especially the ignorant."

The well-modulated voice and cordial tone, the words with their veiled warning against swindlers, are not offensive to the stranger. Rather, he finds it pleasant to have this well-dressed townsman speaking to him.

"Well!" A pleased smile spreads over the face of the townsman as he extends his hand. As the stranger had turned toward him, the confidence man has seen what he was looking for—a lodge emblem on the visitor's lapel. "Shake, brother."

Their hands clasp in the secret grip of the order, given by the "con" man so expertly that the stranger is disarmed at once and convinced that some great stroke of luck has brought him into contact with the man at his side in this city in which he had expected to be friendless.

"My name is Wilder—George Wilder," says the friendly townsman, "Denver, 216," glibly voicing the number of the Denver branch of the fraternal order.

"I'm Harvey Q. Henderson," responds the visitor, warmly, "Kokomo, Indiana, 123."

In a few minutes the confidence man has learned

that his victim is in the West seeking investment for the profits of his Indiana grocery store. Wilder's eyes gleam, but he does not continue that subject. Instead, he says:

"So you're from Kokomo? Well, well, isn't that a coincidence? One of my best friends, Judge Van Horn—of course, you've heard of our Judge Van Horn—has relatives in Kokomo. Often speaks of them. If you've nothing else to do, we might drop around and visit him. He'll be mighty glad to meet someone from Kokomo. As a matter of fact, the Judge is interested with me in the mining game. And, by the way, I've a collection of specimens from my diggings that will open your eyes. You'll laugh at those in this window, after you've seen them. Would you care to look them over?"

Now convinced that the engaging Mr. Wilder is just the man to tell him all he wants to know about conditions in Colorado, Mr. Henderson is more than willing. He wants to know Mr. Wilder better. The feeling is mutual.

"Besides the finest climate in the world, brother," Mr. Wilder goes on as they stroll down the street, "Colorado extends to every investor unusual opportunity to make a fortune, if he invests wisely and avoids the traps which are always being laid by the crooks of which we have so many in this

boom country. For myself, I can say, modestly that I've done pretty well in mining—well enough for a rating in Bradstreet's."

Fortunate indeed does Mr. Henderson consider himself in meeting this gentleman, in whose eyes there is no guile and who has not only given him the warm handclasp of the West but the secret grip of his own fraternal order. He feels a pang of disappointment when Mr. Wilder pulls out his watch—a very fine watch—and says:

"Would you excuse me long enough to telephone my office, Mr. Henderson? We're supposed to have a directors' meeting either today or tomorrow, and I'll have to check up. I may have to go at once."

Of course Mr. Henderson assents and waits while Mr. Wilder goes to make his call. The call is brief. At the phone, he takes down the receiver and rings the operator, voicing a number when she responds. A few seconds later, a voice comes over the wire.

"That you, Judge?" queries Mr. Wilder.

"Yep."

"Kokomo, Indiana, Judge. Name—Harvey Q. Henderson."

"Righto, George."

The receiver goes back on the hook, Wilder saunters outside to rejoin the gentleman from Indiana, while, from elsewhere in the city, Judge

Van Horn hastens to the Denver public library, hastily to thumb the pages of the Kokomo, Indiana, city directory.

Wilder greets Henderson with an expansive smile.

"Luck's with us," he says. "The meeting's been postponed until tomorrow. Suppose we have a drink and look around the town awhile. Can't permit a lodge brother to wander alone for lack of hospitality."

Temperate Mr. Henderson refuses to indulge in more than two rounds of drinks, so Wilder suggests a further stroll about town. Half an hour later Mr. Henderson is guided into a well-appointed office where large photographs of mines, mining machinery, and mountains decorate the walls of the anteroom. In the main office is an ornate mahogany desk. A dazzlingly attractive stenographer is busy over a pile of papers. Mr. Wilder conducts his guest through to what he calls the consultation room. As he steps through the door, Mr. Wilder draws back with a quick apology:

"Sorry, gentlemen. Don't let us disturb you."

"Not at all, George," booms a hearty voice. "We've been waiting for you to close up that Florabelle mine deal, and we're just passing the time with cards."

"Go ahead with your game," Wilder says,

quickly. "The Florabelle can wait. I'm just going to show my friend here our specimens. Gentlemen, permit me to introduce Mr. Henderson of Kokomo, Indiana. By the way, Judge, you'll be happy to meet him. He probably knows some of your relatives in Indiana. Mr. Henderson, this is Judge Van Horn, of whom I told you."

The Judge lays down his hand long enough to reel off the names of half a dozen prominent residents of Kokomo, just gleaned from the city directory, claiming relationship with one or two of them. Mr. Henderson is delighted at this home-town touch, but the Kokomo reminiscence is not permitted to go far. Jeff Smith, who has been unobtrusively introduced as a gentleman from Georgia, now of Denver, calls the Judge back to the game, while Mr. Wilder takes Mr. Henderson to the specimen cases and a stream of metallurgical information is poured upon the latter's defenseless head, none of which is intelligible to him.

Presently one of the players arises from his seat and announces that he must keep a hitherto-forgotten appointment uptown.

"Come on, George," invites the Judge, "sit in for a couple of hands, while Mr. Henderson is looking at the specimens. I'm sure he won't mind."

Still delighted by the speedy development of his contact with this group of prosperous mining capi-



talists, Henderson assures all and sundry that he would not and, indeed, would be happy just to watch the game. With a mild protest, Wilder takes the vacant chair. The ante is small, and Wilder sits in, he avers, just to keep the game going. The Judge adds that it won't last much longer, as he can't waste his time at poker with important litigation awaiting his attention.

In the main office the telephone tinkles, and the blonde head of the stenographer appears at the door to inform Wilder that the message is for him.

"Hold my hand for a minute while I answer," he says, thrusting his cards into Henderson's hand and vanishing into the other room. A minute later he returns to announce that he has been called away on important affairs. He expresses his regrets to Henderson and appoints a time and a place for them to meet in the evening. Then he departs, his rôle in the comedy finished.

The unsuspecting Indianan finds himself unable to leave the game, but, in a few minutes, he doesn't want to. He is in the midst of a winning streak, and the chips pile up encouragingly before him. In half an hour he has won more than enough to pay all the expenses of his trip West. Life brightens by the moment. He is eagerly willing when the suggestion is made that the ante be raised and the limit taken off the game.

Now, strangely, the tide begins to turn. Henderson loses steadily. His pile of chips dwindles. Soon he is writing checks for new stacks of chips, but he is still optimistic. The pots are huge now. Almost any one of them would return all his losses and leave him a margin of profit.

Then comes the big hand. Jeff Smith deals. As he picks up his cards, Henderson feels an electric shock. Four aces! Nothing can beat him except a straight flush. He only prays the pot will be worth while. Life seems good again when Judge Van Horn opens and Jimmy Thornton raises. Henderson, sitting next, raises Thornton. "Dolly" Brooks tosses his hand in, but Smith raises Henderson. Three times the raises continue around the table before the draw. Then Smith passes out the cards called for, and the atmosphere becomes tense. Bet after bet is raised to the skies. Henderson feels a moment of panic as he writes a check of tremendous proportions and tosses it in the pot, but he is so certain of the final result that the chill is only momentary. Then—the final call and Henderson's face becomes ghastly white. Only one type of hand could beat him—and there it is—a straight flush—spread before his eyes by Thornton.

"Sorry, Mr. Henderson," drawls the winner as he hauls in the huge pot. "Seems downright un-

sociable to take your money. You sure deserved to win with that hand."

Henderson mumbles his regrets and leaves the game, his step a bit uncertain as he realizes that now he will be unable to take advantage of any of the investment tips the gracious Wilder was going to give him.

No sooner has he left the room than the pirate crew hastens out to cash the sucker's checks and thus avert all danger of payment being stopped. Meanwhile Henderson is packing his trunks and consulting time-tables for the return to Kokomo, still not quite certain as to just what happened to him.

Probably not more than one in ten of those who were plucked by this or some other equally subtle method made any complaint to city authorities, but the victims were always kept under close surveillance by the sharpers until it was certain that any danger of immediate retribution was past. When the sucker made any move toward official complaint, the bunco artists exerted every effort to head him off. Rather than spend a day in court, they often effected a compromise under which the victim would be given part of his losses on condition that he left the city immediately—and two or three of the gang would escort him to the station to make sure of his departure.

The psychologists of Soapy Smith's gang found full exercise for their sagacity in choosing their victims from the great number of visitors who thronged Denver during the boom days, and they were seldom mistaken in their men.

The victims usually went their way, charging their experience to profit and loss. When they were not quiescent and showed no inclination to listen to reason, the strong-arm experts of the gang usually were summoned to effect a cure for proctitis which rarely failed.

While native indolence was the ailment which sent most bunco men into their nefarious careers, loafing on the job of buncoing was one vice which Soapy Smith would not tolerate in his lawless crew. If associated with him, they were compelled to be ceaselessly on the alert and ready to do their part in shearing victims. Actual physical labor, which they all abhorred, was out of the question, of course, but they were not permitted to idle in the pursuit they had chosen in preference to honest toil.

Judge Van Horn recalled, with horror, the days of his youth, passed behind the plow, when he had to rise early and labor late for his daily bread.

"When I escaped from that," he said, "I resolved never to do another honest day's work as long as I lived—and I state proudly that I have kept my word—with the exception of ten days

when I was pinched and a brutal sheriff put me to work on a road gang. The suffering and intense mental agony I endured during that week and a half is beyond the power of words to describe. The beastly overseer forced me to break rocks and shovel dirt. He broke both my heart and my back. It was months before I recovered from that ghastly experience."

## Chapter VI

### GUNS SPOUT IN POCATELLO

FOR a considerable period Soapy Smith was content with his success in Denver. The project of underworld leadership had not yet suggested itself to him. He was content with his income, which he spent lavishly, without a thought for tomorrow. He had made many friends, both among the respectable townsfolk and in the shady circles of his own world, and life held a roseate hue.

His power grew almost automatically. The strength of his organization and his consistent success brought him a steadily increasing respect in the swindling fraternity, which recognized the superiority of his alert intelligence. Much to his own surprise, by the time he was thirty years old, he had become undisputed king of Denver's sharpers. On the whole, his was a benevolent rule, but, as his powers increased, he was quick to stamp out any threat of major competition.

"Muscling in" was an unknown term in those days, but the idea was not new. None of the Denver crowd would have dreamed of attempting to en-

croach upon Soapy's domain. His only difficulties arose with new and ambitious outsiders who attempted to compete with him. Encountering such a situation, Soapy treated it as summarily as did the bootleg gang chiefs of the later prohibition era.

In 1890 one "Rincon Kid" Kelly, shell-game expert, breezed into Denver and set up "business." Soapy soon discovered that he had a determined rival in Kelly, who was not only a skillful sharper, but a pugnacious one as well. At first Soapy, with his usual tolerance, paid little attention to him, and he was perfectly willing to "let live" so long as Kelly stayed within bounds.

As Smith made no move to stop him, Kelly gained the mistaken impression that the soap artist feared him. He became consistently bolder until at last he actually dared invade Seventeenth Street, which Soapy considered his own exclusive territory. This was too much of an affront, and Soapy decided the time had come for action.

No violence occurred. The matter was settled quietly, with words alone. Smith told Kelly that he would have to move on or accept the consequences. The consequences, he pointed out, might be unpleasant. In fact he outlined them to a certain degree. A brief investigation convinced the Rincon Kid that, perhaps, he had been wrong after all and that he could not cope with the power of the bunco

king. Savagely resentful, but helpless, he left Denver with his gang, swearing vengeance for his eviction.

Typically, Soapy didn't even trouble to learn where Kelly went. He was interested only in his rival's departure. Confident of his own might, he discounted Kelly's threats and turned to the more or less peaceful pursuit of his vocation with the field once more clear.

But the Kelly incident had its repercussions. Naturally, thousands of Denver's residents heard of it, among them many of the law-abiding citizenry. The latter reacted sharply to the realization that the city's underworld was so well organized that an interloper could be banished with ease. Protests began to be raised against this condition, voiced at first in private but culminating in public denunciation of the existing state of affairs.

While Soapy and his associates watched the rising tide of public antagonism with growing uneasiness, the final blow came when the decent citizens demanded that the city be given a thorough house-cleaning. The authorities were forced to respond. They launched their campaign by driving out of town a considerable number of loose and shiftless itinerants. Soapy viewed this with some equanimity, until he was tipped off that this was only the beginning—that a determined effort was to be made



to wipe out completely the vice and lawlessness of the city.

He called a quick conference of his company, warning them that, for the present at least, business was over in Denver. Doc Baggs announced that, so far as he was concerned, he didn't care to spend the rest of his waning life behind the bars and he was ready to quit. Others expressed similar sentiments.

In the end Soapy announced that he would immediately disband his organization and that he was going to look for new stamping grounds. As his personal assistants, he retained the "Reverend" Bowers, Cady, "Fatty" Gray, and Tom Crippen, a comparatively new but extremely efficient member of the gang, whom he had picked up a few months before.

Farewells, regretful, but neither sad nor solemn, were spoken and drunk, and Soapy took his quartet of helpers into a special conference at which their future plans were mapped out. They finally decided to drift through the Northwest, their proposed schedule including any town which might tolerate a visitation from so skilled and brilliant a troupe as theirs.

"Pocatello, Idaho, looks like our most likely first stop," Soapy declared. "I've been hearing some mighty good reports from that place."

The campaign planned, they packed and spent the next day or two making the rounds of saloons and gambling halls, bidding good-bye to their numerous friends. In the course of their fond farewells, they made no secret of their primary destination, which proved a serious mistake. One individual, upon hearing the news, slipped quietly out of the saloon and hastened to the telegraph office, where he sent a message to the Idaho town.

A few hours later Soapy and his coterie boarded the train, and the trip itself was made without incident. Some hours later, with the zest inspired by the prospect of new scenes and new adventures, they descended to the platform of the Pocatello railway station—and found themselves staring into an array of balefully hostile eyes, not to mention a circle of extremely unfriendly six-guns.

No bands were playing and no banners were waved, but there was no question that Soapy and his mates were being greeted by a special reception committee, each member of which was armed to the teeth—and at their head stood Rincon Kid Kelly!

Three guns were leveled directly at Soapy himself, and it was obvious that the group awaited only the signal of their leader to begin execution. An amused smirk was on Kelly's face as he gazed at the enemy who had been delivered into his hands.

Apparently his Denver experience had taught Kelly little concerning his rival, for he once more made a serious mistake in dealing with him. He chose to indulge in some conversational gloating instead of immediate action.

"Well, well, if it isn't Soapy Smith," he drawled. "I don't think you'll like it here, Soapy. I wouldn't stay if I were you." Then his eyes suddenly glared. "I told you I'd get you some day," he snarled.

Only the pressure of the law had ever made Jeff Smith back water. Now, despite the artillery pointed his way, he whipped out his gun with a lightning draw and fired from the hip. He missed Kelly, but the bullet lodged in the leg of Sam Beecher, the Rincon Kid's chief aide. At the same moment Smith and his comrades leaped for shelter, the guns of all five spouting as a return fusillade burst from the guns of Kelly's toughs.

By a miracle all of Soapy's crew escaped injury in that first burst of fire and, before their foes were ready to shoot again, all were either behind railway cars or telegraph poles. Kelly likewise dove for shelter, his gang following suit. Shot after shot rang out. Beecher staggered away and fell behind a station truck. The entire region was in a wild uproar, with townspeople, who had come to meet the train, fleeing in all directions.

The battle was a brief one. Pocatello is no me-

tropolis, and it was only a minute before the local constabulary rode wildly into the scene, guns drawn, and ordered the embattled belligerents to surrender.

None of the contestants had any desire to run afoul of the law in a gun scrimmage, and since the quarrel was purely a private one, they made no resistance to the authorities and all were lodged in jail.

Inventory of the situation revealed that Beecher was the only casualty, so Soapy was the only one against whom official charges were filed. He was accused of felonious assault. However, Soapy and his comrades were inclined to view the situation cheerfully and did so with considerable justice.

Legal delays in matters of this kind were unknown in the old West, and the trial followed quickly on the heels of the battle itself. Soapy's plea of self-defense could not well be disproved, and he was acquitted with startling speed. However, the authorities of Pocatello had no kindly feelings concerning any phase of the incident, which they settled by ordering both gangs out of town and sent them in opposite directions to prevent any immediate continuation of the feud.

Soapy offered no protest. He regretted the loss of the opportunity to pick up Pocatello's stray dollars but felt compensated in the realization that his

enemy had been banished from his own field of activity. With the feeling that, after all, justice had been done all around, Soapy and his followers went on their way.

They clung to their original plan of playing the Northwest, and for the next several months they wandered from place to place, stopping only for brief periods in any single locality and doing fairly well. But inevitable discontent crept upon them all. They were living well and profitably, but this wasn't Denver.

Soapy began to feel a distinct nostalgia. He longed to return to Seventeenth Street, where the pickings were sure and life was abundant and gay, but the reform campaign made this impossible for a time. However, he kept in close touch with his friends back in the Colorado capital and finally received the good news—to him—that the clean-up campaign had run its course. The message further conveyed the information that a new era of wildness, surpassing any that had preceded it, was developing throughout the state, particularly in Denver.

Soapy heaved a sigh of relief and called his cohorts together.

"We're on our way back, boys," he said. "It looks like the coast is clear."

## Chapter VII

### LONE RAID

THE seething Denver to which Soapy Smith's gang returned in the spring of 1891 had entered an era of memorable affairs, marked by criminal, political, and social uprisings of unusual violence.

Corruption, bribery, and ballot-box fixing marked every state and municipal election. The election officials of the so-called "Green County" were broad-minded enough to permit a single voter to cast 229 ballots in one notorious election.

During this period the Western Federation of Miners rose to power, bringing into nationwide prominence the radical secretary of the organization, "Big Bill" Haywood, an anarchist to the day of his death in Russia many years later, and his catspaw, the murderous Harry Orchard.

Fake mining companies sprang up throughout the state, most of them with headquarters in Denver, reaping a harvest of millions through the personal and mail-order sale of their worthless but ornate certificates.

The gruesome lynching of Dan Arata, slayer of a Civil War veteran, was one of the blackest spots on

the state's record of this period. Arata was dragged from jail, shot and hanged by a mob of twenty thousand bloodthirsty Denver citizens. His body was then hauled through the mud, past the residence of the governor, and again suspended, this time from a telegraph pole in the center of the city.

At this time, too, the red-light district was thrown into a panic by a series of stranglings of girl inmates of the houses, and the mysterious assassin was never brought to justice.

Violent lawlessness was so prevalent during the early years of this decade, which, in the East, was to become traditional as the "Gay Nineties," and the authorities were kept in such a continual furore of effort to suppress it that they had neither the time nor the inclination to pay any attention to the quiet return of the gambling fraternity and confidence brotherhood. These had been banished during the reform campaign of a few months before but now were back and plied a steady and remunerative graft for a long period, entirely without official interference.

Soapy Smith discovered that his former record of conservative and non-violent conduct now stood him in good stead. As he reopened his game in Seventeenth Street, he found officialdom extremely tolerant and not disposed to balk his efforts to "make an honest dollar."

Indeed, before long, as he had the opportunity to observe the wide and corrupt swath which many were cutting in city and state affairs, he came to consider himself an unusually respectable citizen. As a matter of fact, compared to some of the ruthless political corruptionists of the day, he was. So seriously did Soapy take his newly acquired sense of respectability that he felt it incumbent upon himself to be useful to the elected peace officials when occasion offered.

His pet anathema was meanness and viciousness in any form. Of these he was wholly intolerant, and he did not hesitate to assist the police in wiping them out, if he could. His most conspicuous act in this field was his single-handed raid of the Glasson Detective Agency, which he staged a few months after his return from the Northwest and which brought him the unique reputation of being a public benefactor.

Since Soapy himself preyed only on those who had cash to lose, his detestation of Glasson's activities was typical. Glasson, according to the police themselves, was proprietor of a shady enterprise, vicious both in its purpose and manner of operation.

Glasson was looked upon as little more than a blackmailer, his detectives being reputed to spend their time prying into the personal affairs of



prominent citizens for the purpose of stirring up scandals which they would either suppress or publicize for a price. But Glasson was clever. Frequently called to account for questionable transactions, he always managed to escape prosecution. Leading townsmen complained that they were shadowed by the agency's representatives, and once there came to the police a story that the agency had offered, for the modest fee of \$40, to set fire to a building insured for \$6,000.

Soapy Smith heard of and looked upon Glasson's performances with distaste but took no personal hand in the matter until Glasson made the serious mistake of detailing three of his sleuths to trail the Smith crowd. What inspired the head of the detective agency to undertake this reckless move is doubtful, but Soapy's followers, who had penetrating qualities of observation of their own, soon discovered the espionage to which they were being subjected and urged quick reprisal.

Soapy, however, advised a policy of watchful waiting. The waiting period was brief. Shortly afterward Denver newspapers carried detailed accounts of the arrest of Minnie Hansen, a pretty young servant girl, charged by Glasson with conspiracy to rob a Capitol Hill matron of her jewels.

The agency was alleged to have attempted to

force a confession from the girl by third-degree methods and, when these failed, to have tried to force her to drink, with the hope of securing the confession while she was intoxicated. At this point the police stepped into the situation. To them the servant girl declared that Glasson had promised her half of a reward of \$500 if she would confess.

Soapy was lounging in a hotel room with some of his mates when the newspaper was delivered. He read the story of the servant girl to its end without comment. Then he arose from his seat, strapped on his six-guns, and with the curt announcement, "The Glasson Detective Agency is going out of business today," he sallied forth alone.

Arrived at the headquarters of the agency, he took his guns in hand and crashed through the door. Before the startled Glasson and his associates could raise a hand, Soapy went into action. He fired several shots into the walls, rapped Glasson and his aides over their heads with his weapons, and kicked over the chairs and other furniture. One Glasson operative, more pugnacious than the rest, took a wild swing at Smith's head which caught Smith in the eye and turned the optic a deep purple, but Soapy countered with a resounding crack on the sleuth's skull which put him hors de combat.

With the detective outfit now thoroughly cowed, Soapy ransacked the files, gathered up all the

papers in sight, including the complete secret records of the firm, and, as a parting insult, took the entire stock of detective badges in the office, including those being worn by the sleuths present. Then, wearing a black eye and a broad grin, his arms full of papers and books, he sauntered out and down the street.

A few yards from the agency he encountered Police Captain Thomas Russell, told him briefly what he had done, and announced that he intended to burn every paper he had gathered. Russell, who had long been on Glasson's trail, offered no opposition and with cheerful commendation permitted Soapy to go on.

Arrived back at his headquarters, Soapy passed the detective badges among his friends as souvenirs and then proceeded to destroy Glasson's records without reading them.

Smith suddenly found himself the recipient of the plaudits of both the police and grateful citizens. The lone raider accepted his laurels with becoming modesty, announcing that he had broken up the agency because they had mistreated "that poor little girl," although he had never seen the "poor little girl" in his life.

He was somewhat startled to discover that he was a popular hero. Many who had looked upon him as a common grafter now regarded him as a citizen

entitled to respect, particularly those who had reason to fear Glasson's secret records. Soapy's comment was typically nonchalant.

"It would be a sad state of affairs," he asserted, "to allow a crowd like that to keep snooping into everybody's business. Honest folks like us just couldn't stand for it."

His prediction that the agency would go out of business that day proved accurate. Glasson attempted to resume operations but found his crew such a laughing-stock in the city that he gave it up.

His importance in the city's scheme of things now acknowledged, Soapy soon found his favor wooed by political leaders of Denver. With the fall election approaching and a bitter fight for power imminent, one party was particularly persistent in seeking Soapy's aid, recognizing that his influence in his own circle was such that he could swing many votes.

But Smith warily refused to be drawn into the political imbroglio. As a last resort the party leaders sent Jack Dineen, a heavyweight tough and a frequenter of the underworld resorts, to seek Soapy's assistance, but he once more declined with the statement that he "didn't give a damn who won."

When the returns came in, Dineen's crowd had lost by a close margin, and the unsuccessful emissary became bitter in his denunciation of Smith, charging the defeat to the apathy of Soapy and his

gang. Barroom battling was a specialty of Dineen's, and he went about loudly threatening Soapy with physical disintegration at the first opportunity.

As usual Smith went on his way, indifferent to the threats, finding that, in the pursuit of his own profession, he had lost no favor with the winning political party by his refusal to aid the opposition.

Business was excellent for Soapy as winter came on, one of the most prosperous periods he had experienced, and he was still at the height of his public popularity when another momentous event occurred which was to provide the great stepping-stone to his upward rise.

This was the discovery, in January, 1892, of great silver veins in Mineral County, Colorado, by a prospector named N. C. Creede. Legend has it that when he made his strike, he exclaimed, "Holy Moses! I'm rich at last!" Accordingly he staked a claim on Willow Creek, where the silver was most prominent, and named it the Holy Moses.

Word of the silver strike spread like wildfire. Prospectors stormed into the district. Overnight the town of Creede came into being—and a new mining boom was on. Within two weeks Creede's settlement of a few rough cabins had grown, as if by magic, into a city of 10,000 fortune hunters.

Honest merchants, miners, tenderfeet from all sections of the country and all stations and condi-

tions of life flocked to the camp. Saloon men and their dynamite whisky joined in the dash. Gamblers and card sharps, Chinese with washboard under one arm and a can of hop in the other, colored roustabouts, Mexicans, blacksmiths, assayers, cooks, horse thieves, barbers, prize fighters, confidence men, and thousands of hoboos all ran the race to the bonanza town, each with his own purpose in view, all scrambling wildly to be the first to lay hands on treasure.

The silence of the mountains and gorges of Mineral County was shattered by the clamor of a pioneer host. Most of them came with the hope of garnering riches by their own toil from the veins of precious metal. Others planned only to separate the toilers from the fruits of their labor without other exertion than the exercise of their wits and dexterous fingers.

When the news of Creede reached him, Soapy suddenly had one of his great inspirations. He visioned the opportunity of a lifetime before him. Here was a rich and verdant field for his talents. With his personal and organized power, he foresaw unlimited returns, if the situation were handled properly and action were instantaneous.

He called his company and explained his plans, which met with enthusiastic approval, and immediate preparations were made for departure.

Soapy considered it an omen of particularly good luck when his old Texas comrade, Joe Simons, came into town a few days before they planned to leave and announced that he wished to join forces with him.

But Soapy's departure was not to be made entirely in peace. The night before he planned to leave, he was at the bar of the Turf saloon, drinking a farewell with the proprietor, when Jack Dineen strolled in.

Fifty pounds heavier than his intended victim, Dineen plunged forward, bellowing his threats, before Soapy saw him. Caught by Dineen's rush, Smith could not evade the haymaker which the heavier assailant swung at him, and he went down to the brass rail with a crash.

Mouthing vile epithets at his fallen foe, Dineen pulled back his foot to swing his heavy boot into his ribs, but Soapy shifted swiftly, rolled over, and came up—shooting.

One bullet scraped Dineen's ear, another glanced off one of his ribs. For a moment he stood petrified, then turned and fled, howling at the top of his lungs, followed by a parting shot from Soapy's gun which blew off his hat. Soapy gazed after him thoughtfully, then put away his gun, dusted off his clothes, and turned to the bar for another drink.

Next day he was on his way to Creede.

## Chapter VIII

### SOAPY BECOMES DICTATOR

IN THE height of the silver boom, every traditional thrill of early frontier days was reënacted in the mushroom town of Creede.

*"It's day all day in the daytime,  
And there is no night in Creede"*

was sung by Cy Warman, editor of the Creede *Candle*, the boom town's lone newspaper, and with considerable accuracy.

In the hours of daylight the streets resounded to the tumult of feverish activity, the eternal thud of hoofbeats, the creaking of wagon wheels, the shouts and cries of teamsters, the hammering and sawing for jerry-built structures, the orders roared by mine bosses to hastily gathered crews, the pulling and plunging of horses and mules drawing heavy loads, the rattle of weighty crockery in the makeshift restaurants where diners wolfed their food from tables of unplanned boards while seated on wooden benches.



Rooming houses and hastily erected structures which passed for hotels were crowded, every inch of space reserved within an hour after the buildings were completed and opened, while hundreds of the incoming flood of humanity slept in shakedown in the hills or upon the bare floors of saloons and dance halls, for want of better lodging.

Carpenters found their own trade more profitable than prospecting. They demanded and received thirty dollars per day and always had more work ahead than they could handle.

Vehicles of every description wheeled into town, from the covered wagon of the '49 type to the new-fangled high bicycles whose riders picked a precarious way over the deep-rutted roads, in imminent danger of tumbling from their lofty perches. Buggies, express wagons, ox carts, trucks, buckboards, sulkies, and hand carts all rattled into Creede, pulled by every sort of livestock which could bear or pull a load—horses, mules, oxen, and countless burros, those most patient and long-suffering of the prospectors' four-footed servants.

Merchandise stores, restaurants, and lodging houses all reaped enormous profits, but, because of the even greater profits, the brisk demand, and quick turnover, the saloon business was the favorite of many newcomers who preferred to take silver across a counter rather than dig it out of the

ground. While there was plenty of beer for the thirsty at twenty-five cents a glass, the chilled Argonauts of that silvery winter demanded stronger libations, and whisky, selling at from fifty cents to one dollar per drink, commanded a greater sale.

The weekly *Creede Candle*, which Warman had established in the earliest days of the boom, announced from its masthead that the subscription rate was "Two Cases a Year."

The first saloons and gaming places were opened in large tents, the bars created by the simple expedient of laying a heavy plank across a couple of beer kegs. The quality of the hard liquor sold was usually dubious. Much of the barreled liquor supply was doctored so that one barrel grew into several.

Some twenty-eight years later, "Big Jim" Colosimo, Chicago café proprietor and underworld chief, was to become noted as the creator of liquor "cutting" to increase bootleg profits. Actually, the idea was already old before it was introduced at Creede in 1892.

"Give me a barrel of the strongest whisky, a couple of plugs of tobacco, some alcohol and distilled water," said an old-timer from St. Louis who had joined the Creede silver rush, "and I'll make you three or mebbe four barrels of the kind of likker the boys cry for."

His services were much in demand.

Saloons were also the chief dispensaries of cigars, the favorite smoke of the day, tailor-made cigarettes being held in the lowest of esteem; but the profit was in wet goods. A hanger-on in one of the saloons was sharply reprimanded for ordering a cigar when invited by a bibulous customer to "have something on me."

"Take whisky, you bum," snorted the bartender. "Cigars cost money."

Meanwhile every day saw more newcomers, eagerly bound for the silver veins. Vast were the riches of the mineral belt and, in the early days of the boom, all comers had an excellent chance to locate "pay dirt." A frantic staking of claims ensued, with the watchful "jumper" ever cruising about to seize neglected properties.

The chief problem which faced the prospectors, once their claims were registered, was the financing of their developments. To the inexperienced, this was an unexpected situation, they having anticipated that their only necessities would be a claim, a pick and shovel, plus a few bags in which to carry their hastily acquired treasure. Having arrived in Creede with just enough money to take care of these primary needs, many soon found themselves in difficulties and were bilked out of their claims by the lawless hawks who posed as their friends and

pretended to assist them in their financial troubles.

Thousands of searchers, expecting to find metal at the grass roots, abandoned their prospect holes or sold them for a pittance to the predatory fraternity, who then converted the diggings, in their literature, into "the most promising claims in this fabulously rich field."

By night Creede was transformed, and its tumult was far different and more sinister than the daylight clamor. The primitive city was as resplendent as possible in the glare of kerosene lamps and the dimmer light of countless lanterns and candles in the rowdy dance halls, saloons, gambling dens, red-light shacks, and honky tonks. From the hubbub arose the scraping of violins and the crash of drums and pianos, occasionally punctuated by the sharp crack of a six-gun in the hands of a befuddled reveler painting the town red or of a bandit stalking his prey on the open road, or a fusillade as a quarrelsome pair decided to "shoot it out."

Here again were the gunplay, the shooting, the carousing, the gambling, the unrestricted lawlessness which had distinguished Leadville, Dodge City, Abilene, and Silver City in their wildest days and won for the entire region the appellation of "wild and woolly" West.

Dealers and lookouts at the gambling halls formed a clique of their own and, in general, they

maintained a notable degree of sobriety. Theirs was a profession which demanded a clear head, with the turnover at a single table on a busy night often running into thousands of dollars. Reckless plungers often staked two thousand dollars on a single turn of the roulette wheel. Lookouts, dealers, and bouncers all kept lethal weapons within easy reach for use in the emergencies which arose frequently.

They were privileged to order drinks for players and spectators, the refreshments being served free. Smokes were also dispensed as the largesse of the house.

No ballyhoo was needed for the gambling halls. Players gravitated toward them almost automatically, after their daylight efforts in normal spheres of activity were ended. Many wallets filled with gold or currency, intended to defray the expenses of legitimate search for silver, were emptied into the strong boxes of the gambling-den proprietors in frenzied efforts by the speculators to increase their stakes.

Creede was no place for the weakling. The strong arm and the quick trigger finger prevailed. Brazen impudence and raw insolence competed with honest courage for the highest profits. The town was wholly disorganized, having neither civic government nor local police authorities in those early days

of the boom. Through necessity as well as their common aim, the lawless sporting elements were more or less knit together and, while not actually organized as yet, presented a solid and menacing front.

But the decent citizens, who were well in the majority, were too busy delving for precious metal or attending to legitimate trade to pay any heed to local government or worry about the necessity of making adherence to the law worth while. They permitted the town to run itself, indifferent to the shrewd and unscrupulous characters who saw personal advantage in seizing the reins of authority, and they depended upon their individual ability with firearms to guarantee their personal protection.

It was into this situation that Soapy Smith and his merry men precipitated themselves. While anticipating something of the sort, Smith found conditions even better than he had dreamed for the scheme he had conceived back in Denver.

Within twenty-four hours after his arrival he was sure he was right. What this town needed was a competent boss—by the name of Jefferson Randolph Smith.

He was in no hurry to rush the situation, nor was he deluded into the thought that he could attain

his end without opposition, but he knew his mental capabilities were superior to those of the vast majority of his professional brothers, and he relied upon this fact to carry him through.

With his plan fairly well outlined before he left Denver, he had brought the cream of his entire ring of associates with him, nearly a score of hand-picked men, ready to do his bidding on instant notice. But their entrance into Creede was made quietly and unobtrusively. They spent their first day in a search for suitable lodgings and in becoming acquainted with the lay of the land, making the rounds of the saloons and gambling halls. Soapy encountered numerous friends who gave him hearty welcome, and he discovered, upon being introduced to others, that his fame had preceded him and brought him ungrudging respect. Likewise, his keen observation soon assured him that the town held no gangs as large, competent, or harmonious as his own.

He also learned within an hour or two that he was destined to have one outstanding rival for command of the city. This was a man whose name already was engraved on history—Bob Ford, notorious as the man who, ten years before, had slain Jesse James, the famous Missouri bandit, in cold blood, while a guest in James's home.

Ford and his wife, Dot, had preceded the Smith

gang into Creede and were operating a combination gaming house, dance hall, and barroom, known as Ford's Exchange, a noisy and prosperous institution. When Smith arrived, he found that Ford not only considered himself the mogul of the community without actively declaring himself as such but was generally accepted in that rôle by the lawless element, chiefly because of his truculent and domineering attitude.

With Ford slated for future reference, Soapy decided to take things easy for a while, so he found a favorable corner and brought out his walnut shells. It was obvious that most of the milling crowds on the streets were well supplied with ready cash, and the shells promised an easier and speedier return than the soap game at this time.

Within a few days he had acquired both an appreciable bank roll and a comprehensive grasp of the entire Creede situation, which only assured him of the complete success of his plan. His personal popularity had instantly gained him the favor of the entire sporting fraternity with the exception of Ford, and without broaching the subject he felt sanguine of majority support from this element. This, coupled with the generally indifferent attitude of the respectable silver-mining townsmen, made his course comparatively easy.

So, on a day when he felt the time was ripe, he



abruptly folded up his shell table and, backed by his talented disciples, proclaimed himself dictator of Creede.

The stroke was a bold one. The sporting element, as a whole, accepted his dictum without protest, recognizing his innate ability as a leader. Most of them were gratified at his seizure of the reins. The miners and merchants of the town heard of it with some perturbation but, being wholly disorganized themselves, they were in no position to oppose him. Once he was under way in his new rôle, they had no wish to do so for some months to come.

Ford was enraged and threatened violent revolt against this brash assumption of a position which he had awarded to himself, but diplomacy saved the day for Smith. Joe Palmer, who had known Ford years before, went to the Exchange and arranged for a meeting between his own chief and the slayer of James. At the conference Ford, who was possessed of some shrewdness despite his customary reliance upon belligerence to gain his ends, recognized Smith's superior ability as an organizer. Realizing that only eventual defeat would be his part if he engaged in a feud with Smith, he readily acknowledged Soapy's overlordship, and they came to an agreement of mutual support.

Once his supremacy was unanimously recognized by his own circle, Soapy moved with rapidity while

both the respectable and outlaw elements looked on wonderingly. He surprised both. As the first step in establishing headquarters for his rule, he built and opened the Orleans Club, with Joe Simons as his financial partner. The club immediately became the class amusement haunt of Creede, and from his office here Soapy promptly proceeded to organize a municipal government.

With his customary shrewdness and foresight, he recognized the fact that his ability to maintain his position for the greatest profit to himself lay in keeping both the lawless and law-abiding citizenry thoroughly satisfied. To win the latter, he launched the establishment of a government which would not interfere with his own activities but, at the same time, would insure the peace of the community and provide efficient regulation of the city and ample protection for its residents.

As his first move in this direction, he made a master stroke by sending for Captain John Light, a rough-riding, hard-shooting Texan, whom he installed as chief of police. Next an election was held, which Soapy manipulated, but he did select the best men available for membership in the town council, for justice of the peace, and for coroner. To be sure, he had dictated the general policies of government they were to follow, but the town was comparatively satisfied.

Isadore Leon, still a Denver resident, recalls that, soon after the Creede boom started, he went there accompanied by Herman Straus, dry-goods merchant and member of the famous philanthropic Straus family, to investigate the commercial possibilities of the camp, and that Soapy offered to make Straus mayor of Creede and Leon an alderman. The proposition did not come to a head, but it is illustrative of the high type of business man which Smith sought for the municipal government. In a position to elect whom he pleased, he sought the best.

He proclaimed his ambition to provide a municipal control which would be efficient and yet enable everyone to have a good time. To no small degree, he succeeded.

## Chapter IX

### COLONEL STONE BOWS IN

SOAPY was now prepared to cash in on his dictatorship. Some semblance of law and order prevailed in Creede, and the city government was operating to his satisfaction, assuring him that he could carry out his own activities without interference. Fortunes were being extracted from the silver veins of Mineral County. Free spending was the rule, and all businesses were prospering mightily.

The Orleans Club was doing very well, but Soapy felt that he would be doing an injustice to himself unless he exploited to the full the profit possibilities which Creede offered. The shell and soap games were definitely abandoned for the present. It would scarcely do for the city's dictator to serve as a street sharper. Moreover, bigger and better game was available than that offered by the street-corner bunco.

Smith's active mind was never without resource, although it frequently produced curious results. Now he sought new ways and means of increasing his income, and he pondered the problem until he

was inspired by another stroke of genius. As he turned over the idea in his mind, its naïve simplicity became more intriguing, particularly as, through its development, he realized that he would put to shame the ancient adage concerning killing two birds with one stone. With his new plan, he proposed to kill five.

Always an intense admirer of P. T. Barnum, Soapy often emulated the famous Phineas in his own perverse manner, and it was a Barnum-like inspiration which provoked his present scheme.

As the first step in his new enterprise, Soapy startled both his brotherhood and the respectable citizenry by turning over the active management of the Orleans Club to Joe Simons, shouldering pick and shovel and announcing that he was going to do a bit of silver-prospecting on his own. To those about him this sudden inclination to honest toil was as disturbing as it was incredible, but when Smith returned from his first day's mining venture, he duly registered an official claim located in an arroyo about two miles from Creede.

That same night two of his most trusted henchmen left for Denver with a secret commission which found its fruition within the carefully guarded confines of a stone yard there.

Meanwhile Soapy spent several hours every day using pick and shovel on his claim. That he was

serious in his efforts was brought out when a huge and enormously heavy packing case arrived in Creede, addressed to Jefferson R. Smith and conspicuously labeled "mining machinery." With the help of several assistants from his personal staff Soapy loaded it on a truck and drove out to his claim in the waning light of late afternoon. He himself returned to the Orleans Club shortly after sundown, but it was some hours later before his helpers reappeared.

Two weeks went by. Soapy continued his daylight efforts at the claim. Then, one day, shortly after noon, he came riding rapidly into town, stopped at the office of the Creede *Candle*, and announced that he had made an amazing discovery. Excitedly he told Cy Warman that, while digging in his claim, his pick had struck an extraordinarily hard substance which continued digging revealed as a mass of stone. But the astounding fact, he explained, was that the portion he had unearthed bore certain striking resemblance to an enormous human body.

"I don't know just what it is, Cy," he exclaimed, "but I've a hunch it's a petrified man. Why, if it is, he must have been buried there millions of years. He's prehistoric. I want you and some of the other disinterested citizens of Creede to go back with me while we dig up the whole thing. What say?"

Smith's air of complete sincerity won the editor. He called a dozen of his friends, none of whom were even remotely associated with Soapy in any manner, and the caravan started. Smith called upon several of his own cronies to help him in the digging.

Arrived at the arroyo claim, Soapy led them to the spot where he had found the queerly shaped stone obstacle to his pick. Looking down into the hole, Warman and his comrades were instantly amazed by the object they saw. Undoubtedly they were looking upon the partially uncovered arm and shoulder of a man-like figure.

Soapy's assistants went to work with a will. A half-hour later the entire figure was revealed, and all doubt fled. The rugged, age-mottled shape before them unquestionably had once been a human being, a Colossus indeed, but bearing every evidence of having once lived, walked, and breathed.

By almost superhuman effort, the gigantic stone figure was hoisted from the pit and hauled into town with much of the earth still clinging to it which prevented too close an inspection. And thus Soapy killed his first bird—making his first bid for public recognition in an aspect far removed from gambling, sharpening, or dictatorship. With extreme agility he brought down the second feathered creature.

As a bow to Bob Ford for his recognition of Soapy's authority and to demonstrate to all and sundry that no rivalry or enmity existed between them, the "petrified find" was taken to Ford's Exchange and there placed on public exhibition.

The third bird followed quickly. Soapy took personal charge of the exhibit and thus presented himself to the community of which he was overlord in an apparently sound and wholly legitimate business venture. This, combined with his recent prospecting, placed him in an entirely new and more favorable light to the populace at large.

As he took the stand to ballyhoo his exhibit, Soapy gave the petrified Goliath the jesting title of "Colonel Stone," whom he proclaimed as God's gift to science and anthropology.

"Here," he cried, "is proof positive that a monster race of men roamed the mountains and valleys of North America in the dim and mysterious eras of ageless antiquity. Here is the forerunner of the Java man, *pithecanthropus erectus*! Here is the ancestor of the Piltdown man. Compared to Colonel Stone, the man of Neanderthal was a dashing modern! In stature he is the twin of that Goliath of Gath, whom David slew with a slingshot—six cubits and a span—just nine feet, nine inches tall! Step inside and see him with your own eyes."

A nominal fee gained admittance to the cur-



tained room where, in a boarded pit, the terrifying lineaments of Colonel Stone lay exposed to the rays of a huge coal-oil lamp which hung suspended by chains from the rafters. The popularity of the exhibit was enormous. Daily and nightly the crowds thronged Ford's Exchange to view the monster, many visitors coming again and again.

And thus was Soapy's fourth bird killed, for his exhibit brought him rich and easily won revenue.

But the fifth and most important bird of all was slain much more subtly. In fact it provided the deepest and most fruitful purpose which underlay the entire scheme. The exhibit brought large crowds together, and scattered throughout these throngs were Soapy's keenest observers. They not only remembered every face which intrigued their attention but, more importantly, remembered the wallets exposed by the patrons, particularly those held by customers who carelessly revealed the contents of their purses as they stepped up to pay their admission fees.

Few were those whose bankrolls seemed worth while to the ferret-eyed gentry who did not find themselves soothingly inveigled into other pastimes where both the entrance and the exit fees were much larger than that charged for a view of Colonel Stone's remains.

This product of the Denver stone yard, com-

posed of cement and plaster of Paris, was Soapy Smith's first venture into this form of bunco, and he had planned it only as a temporary project. But its actual, physical success was astonishing even to himself.

Crude as it was, the monstrosity proved a source of revenue to him for more than five years. In their ignorance and unceasing search for sensations, the gullible continued to pay to view it, near and far, for it did not remain long in Creede.

Frequently Smith leased Colonel Stone to circuses and sideshows. Several times he succeeded in selling a half-interest in the giant to hopeful strangers who did not know its secret. Always it continued to bring in proceeds until it reached the end of a crumbling trail. The last written record of Colonel Stone is on the police blotter at Denver. One R. V. Ellison of Hilliard, Washington, had parted with \$2,500 for a half-interest in the exhibit. Soapy himself had completed all details of the transaction and, at his request, the Colonel, in 1897, was shipped from Denver to the buyer by Yankee Fewclothes.

Some time later the mayor of Hilliard wired the Denver police that the distorted mass of cement reposed unclaimed in the Hilliard freight depot. The Denver police simply filed the telegram and let it go at that. Colonel Stone was never heard of again.

## Chapter X

### ROUGH STUFF AND RELIGION

THE varied profits, both material and social, which Soapy Smith derived from his Colonel Stone venture made his position as dictator of Creede immediately secure. As the town continued its tremendous mushroom growth, his power increased, and his financial intake bulged accordingly. At the height of the boom it is estimated that Creede reached a population of thirty thousand, and there were few of these who did not, either directly or indirectly, pay some form of tribute to the city's boss.

Had Soapy possessed the saving instincts of George Wilder, he could have amassed a tremendous fortune, but throughout his life his one conception of money was that it was created only to be spent. The result was that, though his income was huge, he rarely had any appreciable sum of money at his disposal.

For many months he ruled Creede with a high but benevolent hand. He found that best results were achieved by keeping the lawless element under con-

trol and keeping crime—in the meaning of the term accepted in those days—at a minimum. Of course, it was understood that there was nothing particularly criminal about a fatal result in a shooting affray, provided all parties concerned were wholly sincere and resorted to no underhanded methods.

Taking it by and large, there was less actual occasion for the services of Vigilantes at Creede under the rule of Soapy Smith than in any of the old silver- and gold-boom towns of the West.

Smith decreed himself the final court on all matters concerning the city's operations and passed personal judgment on all newcomers. At the head of a delegation of his followers, he met all incoming vehicles and sized up the crowds. He warmly welcomed all respectable arrivals, obviously there for mining or trade purposes, but on suspicious individuals he cast a cold and critical eye. Some he barred definitely and permanently from the community. To others he gave a stern warning.

"We have a liberal administration here," he told them, "and everything will run along smoothly if you don't abuse your privileges. Watch your step, boys. There's a law against strong-arming people, and we're enforcing it."

Highwaymen were given instant notice to leave town. Disturbers of the peace also were deported. There were few arrests, it being Soapy's policy to

clear the city of belligerent strangers, rather than put the county to the expense of feeding them in jail. His own group, therefore, was left to carry on as they pleased, but even these were kept within certain bounds.

Jim Wilson, old-time printer, now a resident of San Diego, California, tells of his arrival in Creede in the midst of the rush.

"I was acquainted with Soapy in Denver," he says, "and, at Creede, he recognized me at once.

"'Look out for your pocketbook,' he warned me. 'Don't play the games. You can't beat 'em. I'll walk uptown with you. When the gang sees you in my company, they'll know you're my friend and will let you alone.'

"He spoke the truth. I wasn't bothered during the entire time I stayed in camp. Soapy ran things to suit himself, and his crowd swore by him. But he played no favorites and made all saloon men and gamblers obey the rules. He was expert at handling the tough bunch he traveled with. When they quarreled, he tried to jolly them into good fellowship again. If that failed, he read them the riot act and ran disturbers out of town without a second warning.

"Naturally, he made plenty of enemies, but he laughed at their threats. He never tolerated insolence from his own men nor anyone else.

"It gave him particular pleasure to entertain his friends from other cities and, in their honor, he gave champagne banquets at which he presided as toastmaster and played the part of jovial host. He was careful to see that his guests were safe from swindlers.

"In his own distorted way, he was public-spirited. He boosted public improvements and encouraged new enterprises, legitimate as well as illegitimate. He administered affairs along broad lines, and his idea was that every man should be allowed to do about as he pleased, so long as he stayed within reasonable limits."

While he had no particular relish for intensive competition, Soapy placed no ban on members of the bunco clan who wished to come to Creede and go into business, so long as he was first consulted.

"See Soapy—what he says goes in this burg," was the admonition given new arrivals who were looking for "privileges" in Creede. So to the dictator they went. He examined them and their credentials. If the applicants passed muster, agreed to terms—each was obliged to pay tribute to the dictator for the right to operate—and pledged themselves to support the Smith regime, they were permitted to open up.

Soapy now rode high. The Orleans Club and its

saloon were bringing him huge sums. He was collecting graft from a host of "concessionaires." Colonel Stone was adding to the daily and nightly intake. And he was indulging in less personal effort than at any other time in his career. His dictatorship was paying him the full measure of its promise. While not looked upon exactly as a respected citizen, the townsfolk viewed him with a kindly eye, in full appreciation that conditions might be vastly worse but for the reins held so tightly in the hands of this unique character.

Not that the town lacked in lawless outbreaks. Far from it. Killings occurred every day in Creede. The town morgue usually held a minimum of a dozen bodies every morning, and while most of these were victims of pneumonia, the most dreaded affliction of the mining camps, there were always one or two who had come to violent ends.

Captain Light was a powerful and creditable police chief. A crack shot and known to be "split lightnin'" with his gun, he dealt swiftly and capably with offenders against the peace of Creede. When suspicious characters appeared in town, it was his custom to give them a vivid demonstration of his shooting ability, usually via an invitation—always accepted—to watch him in a bit of target practice.

On other occasions he would manifest his skill in a more amusing manner by shooting the heels from the shoes of a stranger of uncertain antecedents and more uncertain future as he strolled down Creede's main street for the first time. As the petrified victim of this pleasantry waited for another and more fatal shot, the captain would clap him heartily on the shoulder, with a booming, "That's just to keep ya from takin' to your heels. Ya see how silly that would be." Then he would take his target by the arm, lead him to the nearest general store, and buy him a new pair of shoes.

When occasion demanded, which was not infrequently, Captain Light would not hesitate to shoot to kill, and it rarely required more than one shot for him to put a fatal period at the end of a belligerent, criminal career.

Charles Meyers, owner of a Denver pool hall, declares that he owes his life to the Creede police chief.

"It happened on one of the main street corners," says Meyers. "I ran into the New Orleans Kid, who cussed and abused me and then grabbed my gun and started firing at me. But just then Captain Light came along. He didn't have time to ask any questions. He let the Kid have it, killing him with one shot."

Bat Masterson, one of the most colorful and



spectacular figures of the latter days of the old West, was manager of the Denver Exchange in Creede, during the boom days. Meyers tells of an incident at Masterson's place in which Soapy Smith was involved and which is a revealing picture of life as it was lived in Creede.

"Jeff Smith stepped in one night to play bank," says Meyers. "Jeff Argyle was dealing, and Tom Crippen was lookout. A row started, during which Soapy yanked out his gun and yelled, 'Jeff Argyle, you're through as dealer in this game. You pull that card and you'll pull your next one in hell! I want a change of dealers.'

"There was no yellow in Argyle. He looked Soapy square in the eye and said, 'If Bat Masterson tells me to pull, I'll pull it.' I ran over to Bat, and he came to straighten things out just in time. Peg Leg Charlie Adams, who helped rob the Denver & Rio Grande Express, had piped up and said, 'Soapy's right, and anybody who says he ain't is a damned liar.' Nobody cared to dispute Peg Leg because he was wearing two six-guns, had a derringer in his vest pocket and another in the palm of his hand.

"About that time, Bat reached the scene. He was a friend of both Jeffs, so he sized the situation up for a second and then said, 'Now, look here. You're both friends of mine, and I won't stand for

this. Be a couple of good boys and stop quarreling. You, too, Peg Leg. What's the use of getting excited? You all know Jeff Argyle's a fair, square dealer or I wouldn't have him here. And we all know Jeff Smith's a square shooter. Two square guys have no call for any gunplay with each other. Just remember that. Now, how about it?"

"Bat usually had his men sized up right, and he proved it again this time. Soapy grinned and put up his gun. 'Guess you're right, Bat,' he said, and the game went on."

Smith had little trouble in lining up the new sharpers who invaded Creede, but one day there arrived one Texas Kid Barnett, tinhorn and shell man, who set up his stand and began sliding the walnuts without first attending to the formality of applying to Soapy for a permit. This effrontery the dictator could not condone.

An hour or two after he had taken his stand, the Kid was visited by one of Smith's men, who casually hinted that a visit to the dictator was advisable. But the Kid, slim, tall, young, with clear blue eyes and a shock of black, curly hair, had plenty of nerve. He curtly rejected the suggestion and placed his six-gun on the shell board, within easy reach, as he worked his game.

Soapy's gang now urged summary eviction, but

Soapy advised against violence and proposed another plan. So, on the morning after his first day in town, the Kid found posted on his cabin door this warning:

DON'T LET THE SUN  
GO DOWN ON YOU  
AGAIN IN CREEDE  
THE GANG

There was no question in the Kid's mind as to the source of the notice, but he was not disposed to accept it. Instead, he strapped on his artillery and hurried to the Orleans Club. As he reached the entrance, he drew his guns, kicked open the swinging doors, and covered the gang before anyone thought of drawing.

Not a word was spoken until Smith remarked, calmly:

"Well, young fellow, you got those orders."

"Yes, I got 'em, and they don't mean a damned thing to me," retorted the Kid. "Just keep your hands up, everybody! I just dropped in to ask which one of you gentlemen here present put that paper on my door?"

After a moment or two of dead silence, the Texan became impatient.

"You're a bunch of sneakin' coyotes," he shouted. "All right. You kin choose any among you and I'll shoot it out with him."

Still there was quiet. Down near the end of the line, Joe Palmer stealthily dropped one hand and drew his gun. Palmer was in the habit of using both thumbs to pull back the powerful hammer of his forty-five. As he now dropped his other hand and seized the hammer for this purpose, the Texas Kid saw him and his gun roared. Palmer emitted a howl of pain, and his gun clattered to the floor as he gazed down at his bleeding thumbs, both clipped off at the first joint by the Kid's bullet.

Shooting and cursing, the invader backed through the doors and disappeared, followed by a fusillade of avenging shots. Smith, Bob Ford, Captain Light, and half a dozen gunmen started a swift search for him, but he had galloped out of camp on horseback and was seen no more in Colorado.

Joe Palmer was under the doctor's care for some weeks, his active gunfighting days over, but he continued as one of the gang for the remainder of Soapy's regime.

There were visitors and temporary residents of Creede whose reputation was such that neither the dictator nor his official aides cared to pry too deeply into their past. Of this class was a determined-

looking individual who hailed from New Mexico and who was known as Dave Rudabaugh before his arrival in Creede, where he chose to use a different and unrecorded name.

Rudabaugh had been a member of the cattle-rustling gang headed by the famous Billy the Kid. His own outstanding exploit was the murder of the sheriff at Las Vegas, New Mexico, where he had cheated the hangman by breaking jail while under sentence of death. Under the protection of friends in Creede, among them Soapy Smith, Rudabaugh went to work in the mines. This occupation, while reasonably safe, did not appeal to his venturesome spirit, and he left for Victor, near Cripple Creek, where he was killed in one of the battles staged by the miners' union forces and the mine owners' men.

Drifters floated in and out of Creede by the hundreds. They vanished when they learned that little legitimate work was available except hard, manual labor. Real miners earned good pay, and there was employment for all willing and able-bodied men, but tramps soon found that Soapy Smith's regime gave them scant welcome, and they bowed themselves out.

It was a curious anomaly of Soapy Smith's nature that, untrammelled and lawless as his own life was, he always had only the friendliest of sentiments toward religion and the work of the Church,

and frequently came to the assistance of religious enterprises.

At Creede, he was frank to say that he considered them a necessity, beneficial to the community, and he backed up his word on numerous occasions. When less-scrupulous members of his unholy fraternity derided things religious, Smith was the first to leap into the quarrel on the side of righteousness.

Late in the spring of 1892 an itinerant preacher wandered into Creede and began delivering a sermon on a street corner. A passing group of hoodlums began heckling him and shouted foul threats at the speaker as he continued exhorting the crowd. Having already been apprised of the dictatorship existent in the community, the minister sent an appeal to Soapy, which brought instantaneous response. Soapy himself, at the head of half a dozen of his followers, came to the scene and put the disturbers to flight, after which the group stood by respectfully until the preacher had finished. After the crowd had dispersed, Soapy engaged in serious conversation with the grateful pastor.

"You go right ahead," Smith informed him. "We'll back you to the limit. The town's yours. It needs a little religion."

Turning to his own men, Soapy went on. "We're all going to church next Sunday," he announced,

“and the rest of the gang’s going with us to hear the parson here.”

“But I haven’t any church,” the preacher protested.

“That’s easy,” Soapy retorted. “Come on, boys. We’re on our way to raise money.”

Probably no more unique group ever set out to gather funds for religious effort than this array headed by Soapy and including Bowers, Palmer, Wilder, and the Duke of Halsted Street. Likewise, probably none ever employed more unusual or more effective methods in accomplishing their purpose.

The group went the rounds of every saloon, dance hall, and gambling den in Creede, cheerfully commanding every proprietor, employee, and patron to chip in for the good cause, if they valued their lives. Two hours later the merry delegation marched to the minister’s stopping place and dumped some six hundred dollars in coin and currency into his washbowl.

“Take it and build yourself a church,” Soapy instructed. “We’ll stand behind you and boost your game just as I said.”

The wholly bewildered but joyful minister set to work with a will. The money amply covered all his needs. In three days he was able to construct a respectable house of worship, and services were launched the following Sunday.

His first congregation was composed largely of Soapy's crowd. The dictator in person occupied a front seat, his voice ringing out in the singing of his favorite hymn, one line of which ran, "Free from the law, O blessed condition!"

Under Soapy's tutelage, the work of the church prospered consistently. The Creede boss aided, abetted, and protected all the pastor's efforts, despite the fact that the preacher sought to turn not only Soapy but all his comrades from their mode of life. As a permanent detail, Soapy assigned a couple of his strong-arm specialists to maintain order in the immediate vicinity of the church during the hours of all services.



## Chapter XI

### THE MAN WHO KILLED JESSE JAMES

WHILE Soapy Smith's dictatorship in Creede marked one of the high points of lawless domination in the old West, Fate decreed that the peak of his rule there should witness an affair which closed another chapter in the history of banditry.

Long before the day when he shot down Jesse James, Bob Ford had won the reputation of killer and hard character. He robbed and slew with Jesse and Frank James as a member of their gang and claimed he was their cousin, though this latter statement was denied by Jesse's widow.

When the James gang was broken up, Jesse, with a heavy price on his head, retired to extremely private life in a small cottage at St. Joseph, Missouri, where he lived with his family under the name of Howard. There he took every precaution against capture, but he unhesitatingly received the brothers Bob and Charlie Ford when they came to him, pleading for food and shelter.

Inspired only by lust for the \$10,000 reward which Governor Thomas T. Crittenden of Missouri had offered for the body of James, dead or alive,

the Fords remained with Jesse for weeks, constantly at his side, waiting only for the moment when they might find their host and former chief off his guard.

On the morning of April 3, 1882, James opened the front door of his dwelling to air the rooms. As usual, he was wearing his heavy pistols in holsters attached to his belt. It occurred to him, as he swung open the door, that it was foolhardy to create suspicion by wearing firearms in full view of passers-by.

He made a remark to this effect to the Fords, who were with him, as always; then removed his belt and guns and tossed them on a bed. He then stepped on a chair to reach up and dust off a picture before returning to the door.

It was the moment for which the Fords had waited. For the first time since their arrival at the James home they found their host out of reach of his weapons. Both brothers drew their revolvers. At the sound of the click of the hammers, James turned. On the instant, Bob Ford fired, his bullet crashing through the bandit's brain.

The Fords hurried from the house and telegraphed Governor Crittenden. They submitted quietly to arrest, grateful for the protection which the jail gave them from the summary vengeance of James's real friends.

Indictments for first-degree murder were returned against both brothers and, at the trial, both pleading guilty, they were sentenced to be hanged. Two hours after sentence was passed, the governor, true to his promise, pardoned them.

At the jail door Bob Ford was again arrested and taken to Richmond, Missouri, this time to face trial for the murder of Wood Hite, a cousin of the James brothers. Hite, a train robber, had distinguished himself by killing a harmless Negro, who, sitting on a fence, as Hite trotted by on horseback, offered a target for his marksmanship. Bob Ford and Dick Liddell quarreled with Hite, who was killed in the ensuing gun battle. Though he denied it at the trial, Ford was said to have claimed, proudly, that he and not Liddell had fired the fatal shot.

Bob was acquitted of the murder and joined his brother. They endeavored to collect the \$10,000 reward for the assassination of James but never secured more than a small percentage of it.

Later the brothers appeared in a drama, *The Outlaws of Missouri*, based on the adventures of the James gang, but it was hooted from the stage. Charlie, in a fit of despondency, committed suicide in a weed patch near Richmond, Missouri, in May, 1884, shooting himself.

An object of public execration, Bob Ford left the

scene of his crimes, with the popular dirge of the day ringing in his ears:

*Jesse James had a wife,  
She's a mourner all her life,  
Her children they are brave;  
O! The dirty little coward  
Who shot Mister Howard  
And laid Jesse James in his grave!*

For years Ford led an utterly dissolute life, a hero in his own mind, regardless of public condemnation. Landing in Las Vegas, New Mexico, he managed to secure a job as faro dealer and, acquiring a small stake, moved to Walsenburg, Colorado, where he opened a saloon and gambling house and made of himself a public nuisance by his braggadocio and offensive egotism.

Ford was tall, pale-faced, and slim, never weighing more than 140 pounds, in general appearance the typical "bad man." He wore a huge hat, made to order, which he boasted was the widest-brimmed headgear in the West. When drinking, he was extremely quarrelsome, and shooting up the town was his particular delight. His notoriety as the slayer of Jesse James inspired fear in the hearts of the timid, and even the bolder gunmen of the community held him in some respect.

When the silver strike at Creede was heralded, Ford closed his Walsenburg place and made for the new diggings with a load of whisky, beer, cigars, and tobacco. One of the first representatives of the lawless element to reach the place, he selected the most favorable corner in town, established his exchange there, and was financially successful from the beginning.

Soon he enlarged the place, installing faro, keno, roulette, Black Jack, and a long bar with a brass footrail. Carpenters hastily built a dance floor, Ford imported a score of dance-hall girls, a pair of piano thumpers, bouncers, dealers, and lookouts, and quickly became an outstanding figure in his business.

He had two serious failings: his love for drink and his conceit. Prosperity went to his head and, thinking it necessary to impress the town with feats of marksmanship, he indulged in the pastime of shooting out lights in other owners' saloons.

Soapy Smith undertook to curb these propensities for Ford's own sake, but when his good offices failed, he permitted his former rival to go his own way. Entered upon a period of intensive drinking, during which he became more generally offensive than usual, Ford suddenly found himself host to a hastily organized group of Creede Vigilantes—one of the rare occasions on which they were

called into service there—and was given notice to leave town.

He went, but didn't go far. From Pueblo, Colorado, he wrote a letter of apology to the Vigilantes, begging permission to return and promising to correct his behavior. The permission was granted with gratuitous information that he would be ridden out of town on a rail if he indulged in any more gunplay. Chastened in spirit, he returned to his exchange and, following the sage advice of Jeff Smith and Joe Palmer, led a comparatively peaceful existence thereafter.

Always, however, he was haunted by the fear of vengeance for the slaying of Jesse James. Time and again he had been warned that cool-headed, quick-shooting friends of the murdered bandit were biding their time, waiting only for a favorable opportunity to even the score.

Despite the fact that almost ten years had passed since James's death, he never relaxed his precautions against surprise. This was particularly true after word reached him at Creede that James's friends were more determined than ever to "get" him.

Day and night he sat facing the door of his exchange, closely scanning the features of every new patron, ready for a quick draw at the slightest indication of any offensive move by his visitors.

At the card table his back was always to the wall, his six-gun on the green felt, within reach of his hand.

On June 5, 1892, disaster overtook Creede, when fire broke out in one of the saloons and the flames swept, unhampered, through the business district and consumed most of the residential tents and shacks as well, leaving a comparatively small number of business houses and dwellings unscathed.

The Orleans Club had escaped the fire, but Ford's Exchange was one of the places destroyed. Ford managed to save a considerable portion of his equipment before the flames reached his structure, however; and, almost before the fire had passed, he had negotiated for a newly constructed building which had escaped the flames, and when he went to bed that night, his crew were already installing the equipment. Next day the new exchange was open for business.

While the embers of the conflagration were still glowing, a small army of carpenters began the work of rebuilding the destroyed portions of the town. In the early morning of the next day, more carpenters came from the nearer towns to assist in the reconstruction. Among them, though not of them, was a slim, sharp-nosed stranger, clad in the garb of the open range, who looked the part of the ordinary cowpuncher. He walked along the streets,

unnoticed in the feverish activity of the moment, and stopped at the first business place he found which had been untouched by the fire, a tailoring shop.

"My name's Ed O'Kelly," he told the proprietor, in a falsetto voice. "They tell me there's a Bob Ford running a saloon here."

"Sure," replied the tailor, "Bob Ford, who killed Jesse James."

"I used to know him back in Missouri," O'Kelly volunteered. "He's an old acquaintance of mine."

Following the directions given him by the tailor, he moved on to Ford's new exchange and ordered a drink. In response to inquiry, he was told that Ford was not expected for an hour or two. The bartender, who also served as Ford's bodyguard, eyed the stranger suspiciously.

"And what do you want of Bob Ford?" he demanded.

"That's my business," O'Kelly answered. "I'll tell him myself when I see him."

"Oh, I see," the bartender retorted, truculently, "looking for trouble, eh? All right, stranger, you're going to get it, right now."

He gave the sign to the bouncer, who leaped at O'Kelly and pinned his arms to his side to prevent his drawing a weapon. Leaping over the bar, the bartender jerked a six-gun from O'Kelly's holster



and a bowie knife from the sheath at his belt. Then the two forcibly ejected their unwelcome visitor.

O'Kelly landed in the dust of the street but made no retaliatory move. Instead, he arose, brushed his clothes, and moved on without a backward glance. At the Major Mercantile House he purchased a new Colt six-gun, then hurried away and looked up the stopping place of French Joe Duval, a former Missouri bandit, who had come to Creede shortly before. Finding Duval in, he drew him aside, and the two went into a deep and secret conference.

When Ford came into his new exchange that day, the bartender told him of the ejection of the stranger and described him, but Ford was unable to identify the high-voiced visitor. Indeed, the mere eviction of an unruly patron was a matter of small moment in the hurly-burly of such towns as Creede. Roaring drunks were being tossed into the street every hour, as it was the full-time job of the house bouncer and part of the daily and nightly duties of the bartender to employ violence when necessary to maintain some degree of tranquillity in the drinking places to insure the continued patronage of more peaceably inclined customers.

When summoned by the bartender's secret sign, the house bouncer would first urge the offender to leave quietly. If, as was customary, this request

was met with a torrent of abusive language, the bouncer would back away and set himself for the attack, awaiting the moment when the rowdy one was least expecting it. When it came, the rush was one of unrestrained violence. There was no need to open a door. Swinging doors for barrooms were invented to meet just such emergencies.

So Ford gave little serious thought to the man who had been inquiring for him that morning. But, that night, as he lay on his bed, he suddenly jerked upright as, to his ears, in a high-pitched, nasal voice, there came the chilling words and doleful melody of a song he had long forbidden to be intoned in his vicinity:

*"Jesse James had a wife,  
She's a mourner all her life . . ."*

Ford leaped from his couch and rushed to the window, but in the darkness he could not locate the source of the mournful dirge, and a moment later it died away, drowned in the tumult of the night. There was little sleep for Ford during the rest of the hours of darkness. He tossed fitfully, oppressed by a sinister premonition that brought an ever-growing dread.

June 7, 1892, dawned, a clear, sunny day, and the Creede which was emerging swiftly from the

catastrophe of two days before was early in the throes of activity. By eleven o'clock hundreds of players were already at the gaming tables, and other hundreds were standing at hastily improvised bars, some of them sheltered by no more than a sheet of canvas, while dance-hall girls, ousted by the fire from their customary quarters until new dance "palaces" could be erected, were soliciting patrons to "set 'em up" to beer—at two dollars a bottle, from which the girls received a percentage.

Soapy Smith and his confrères were in session at the Orleans Club, passing upon applications for new bars and gambling joints and checking up on possible losses in graft from concessionaires who had been wiped out by the fire.

O'Kelly was abroad early, his eyes alight with a cold and deadly purpose on this day.

"Anybody seen Bob Ford?" he asked, boldly, at the first bar he reached.

"Not yet," was the reply. O'Kelly moved on to the Holy Moses bar.

"Seen Bob Ford?" he demanded.

"You'll find him at his new exchange," answered Jim Osgood, the proprietor of the Holy Moses.

"He ain't showed there yet," O'Kelly returned. "I want to see him right away."

Moving on down the street, he asked his question again and again until, at the site of Thompson

& Simpson's Leadville Club, where a new building was going up, he was told that Ford was expected to appear momentarily.

O'Kelly again strode in the direction of the new Ford exchange. As he pushed his way along the congested thoroughfare, he glanced up to give a quick nod to French Joe, who was riding casually along in the middle of the street, a few yards behind, a shotgun across his saddle. Nearing the exchange, O'Kelly suddenly caught a glimpse of Ford and his wife entering the front door.

O'Kelly stopped abruptly, drew his new six-gun, then stepped quickly forward until he was within a few feet of the exchange door. Here he halted again for a moment, as if in doubt, then put away his gun and signaled to the man on horseback. Duval rode up instantly.

"Hand 'er over," said O'Kelly and took the shotgun from the Frenchman's hands. Duval immediately swung out into the street again and rode ahead at a brisk pace until he reached the town's outskirts, where he broke into a furious gallop, never to be seen in Creede again.

Meanwhile, as soon as he had taken the shotgun, O'Kelly grasped it firmly and, ready for action, bounded into the exchange, just as Ford was approaching his desk, his wife a few feet distant.

"Hello, Bob!" sang out O'Kelly.

Ford stiffened at the falsetto tone and swung about, whipping out his gun as he did so. But his finger never closed on the trigger. O'Kelly fired both barrels, and eighteen slugs struck Ford in the neck and side of the head, killing him instantly.

As Ford toppled, O'Kelly leaped forward and tore the pistol from his lifeless fingers. The place was in an uproar. Ford's wife stood, her finger extended at O'Kelly, screaming hysterically, while a yelling mob began pouring through the door. As the crowd surged toward O'Kelly, who stood with Ford's gun raised threateningly in his hand, Deputy Sheriff Dick Plunkett plunged through the rapidly growing throng, his pistol drawn, and demanded the slayer's surrender. Seeing no chance for escape, O'Kelly raised his arms and submitted to arrest.

Taking him safely out was another matter, however. News of the shooting swept the city like wild-fire. The mob inside and at the doors of the exchange became half frenzied, demanding the lynching of the killer, but Plunkett kept them back, standing before his prisoner with a gun in each hand. In the van of the threatening crowd were Ford's henchmen, their attitude growing more menacing by the moment. But other officers of the law crashed their way through the jam and took their stand with Plunkett, keeping O'Kelly com-

pletely surrounded with a circle of threatening steel.

While milling about uncertainly, the crowd was momentarily diverted when the coroner's wagon drew up and Ford's body was taken to the morgue. Then another cry swept and held them: "Here comes Soapy!" Curiously expectant, the mob half quieted for a few moments, as the dictator of Creede pressed through them and advanced to Plunkett's side, from which point of vantage he faced the menacing faces.

"Stand back!" he shouted. "Let this man alone! We don't know the story of this yet. Justice is going to be done. Don't worry about that. Now back up and let the officers take him to jail."

Soapy Smith had never shown more completely his dominance of Creede and, particularly, the lawless, unsavory minority who made up the crowd than at that moment. The advocates of lynching were thrust into the background, the crowd became subdued almost instantly, and a lane was opened, through which Plunkett and his men were permitted to make their unmolested way as they took their prisoner and hustled him behind the bars.

In his cell O'Kelly had little to say. He refused to discuss the purpose behind his slaughter of Ford, specifically declining to admit that it had anything to do with the killing of Jesse James. In his only

statement, made to Soapy Smith and the officers, he declared, cryptically:

"I don't burn a man's mother's heels, nor I don't rob pocketbooks, nor I don't pull off women's toenails with pincers, but I can kill such low-down critters as Bob Ford."

"What do you mean by that?" demanded Plunkett.

"Just what I said," O'Kelly replied.

"That isn't clear enough," the officer persisted.

"I won't make it no clearer," the prisoner returned stubbornly and refused to discuss the matter further. Even his meeting with Duval and the latter's part in the affair was not brought to light until a later day, when O'Kelly became confidential with a fellow convict.

The generally accepted solution was that O'Kelly was an emissary chosen by friends of Jesse James to take the life of Ford, but, tight-lipped and silent, he never cast light on the subject himself.

Placed on trial at Lake City, he was convicted of murder in the first degree and sentenced to life imprisonment in the Colorado state penitentiary at Canon City, on July 12, 1892, scarcely more than a month after the crime.

But O'Kelly was not destined to spend the rest of his days behind the bars. The prison doors had scarcely clanged behind him before the Colorado

governor was besieged by Missouri friends of the slayer seeking executive clemency on his behalf. This was difficult to obtain, owing to the cold-bloodedness of the killing. Continued persistence on the part of the Missourians, however, resulted in a reduction of the life sentence to an eighteen-year term.

O'Kelly's friends refused to accept this as final. Incessant pressure was put upon Colorado executives until, at last, the slayer of Ford was freed by pardon in 1902, ten years after he had committed the murder.

He benefited little from his release. Shortly afterward he was found intoxicated in a gutter at Pueblo, his pockets filled with burglar's tools. He was fined and ordered out of town and thereafter led an aimless, wandering existence, unable to secure or hold employment by reason of his quarrelsome disposition. Those who knew him regarded him as a dangerous character, and even his former friends cared little for his company.

For two years he traveled a lone trail which came to an abrupt end in Oklahoma City on June 14, 1904. When Patrolman J. A. Barnett stopped him on the street and asked him to give an account of himself, O'Kelly replied by whipping out his pistol, striking the officer in the face and then taking a shot at him.



Barnett, a fearless officer, struggled desperately with him and succeeded in tearing the pistol from O'Kelly's hand. As the ex-convict reached for his other gun, the officer pulled his own and sent a bullet through his assailant's heart.

## Chapter XII

### SOAPY SLITHERS ON HIS WAY

THE passing of Bob Ford had no immediately apparent effect upon the life of Creede. For the moment it was just another killing, although the victim had been rather more prominent than any who had gone before. As a matter of fact the better citizenry of the boom town felt no grief over the slaying, which had only served to remove a troublesome and unruly desperado. So far as Soapy Smith was concerned, Ford's demise left him in undisputed control of the situation, and he appeared to be more strongly entrenched than ever.

Nevertheless the grim episode marked a turning point, both for the community and for its dictator. It had occurred at the peak of Smith's power—in fact, his own action at the time had demonstrated his might conclusively—yet, thereafter, his rule was definitely on the wane.

Throughout Smith's career it was fittingly true of his always paradoxical life that his greatest triumphs paved the direct route to his severest

defeats. Two years before, in Denver, his ability to banish Rincon Kid Kelly from that city had eventually led to his own abrupt flight a step ahead of the law. Now it was his complete domination of the mob in Ford's Exchange, a moment of supreme victory, which led to his downfall at Creede.

The respectable elements of the community began to think things over. Far more impressive to them than the violent death of Ford in itself had been that brief threat of mob rule and the fact that only the interference of the city's underworld chief, rather than the forces of law, had been able to avert a probable lynching.

In a sense Soapy Smith had laid the foundation for his own eventual undoing by one of his more legitimate acts, when he had established a reasonably effective municipal government in Creede. He thus had given the law-abiding folk the framework for their most effective weapon against the lawlessness which he represented. Since the better citizens were in the majority, it was destined to be only a matter of time before they became sufficiently organized to wrest control of their community from Smith and his unruly cohorts.

As the year wore on, the rumblings of discontent with the Smith regime began to be heard with increasing volume and frequency, and while the dictator still retained his control, he began to see the

handwriting on the wall. It was becoming obvious that the respectable majority, kindly in its personal sentiments toward him and acknowledging the benefits he actually had bestowed upon the community in his own curious fashion, was beginning to fear him and the eventual effect of his rule. Ultimately he found himself faced with the necessity of deciding whether it was more profitable to fight for the retention of his power or to abdicate. In his hours of supremacy Soapy Smith was peculiarly sensitive to the development of public opinion, and in the present situation he foresaw a none too hopeful future for himself.

Just what his action might have been is uncertain had other circumstances not developed which had an impressive effect upon him, particularly a personal tragedy which had much to do with crushing his zest for Creede. This was the sudden death of his most intimate comrade and business partner, Joe Simons.

Simons was stricken with the scourge of the mining camps—pneumonia. Epidemics of this dread disease afflicted every gold and silver camp of the boom days in the Rocky Mountains and Alaska. Only the early gold camps of California escaped, undoubtedly owing to the milder climate prevailing there, even in the higher altitudes. The Black

Hills, Leadville, Cripple Creek, Creede, and the Alaskan camps all were heavily affected. Thousands of hopeful prospectors, insufficiently nourished and too thinly clad to endure the rigors of the camps, many of them subjected to the dangers of high altitudes for the first time, compelled to sleep in the open or upon bare floors, contracted the disease, and hundreds of fatalities occurred for actual want of proper medical care. The most devastating epidemic of all had occurred at Leadville, where it was aggravated by a plague of black smallpox, probably the worst in Western history.

The moment word reached him that Simons was ill, Smith moved frantically to provide for him the best care available, but the ravages of the disease moved so rapidly that the dictator's pal succumbed within twenty-four hours. The passing of Simons plunged Soapy into deepest melancholy and cast gloom over the entire sporting fraternity at Creede, with whom the young Texan had won a deserved popularity. So widespread was the grief aroused by the tragedy that it was immortalized by Billy De Vere, famous tramp poet of the Rockies, whose graphic and illuminating recital of the mournful event is worthy of presentation. It is transcribed here by permission of Mrs. Harriet S. Pullen of Skagway, Alaska, the "Mother of the North,"

as she became known in the days of the Klondike gold rush and who possesses the original manuscript:

## JEFF AND JOE

*Knowed Joe Simons? Course I did;  
Knowed him 'fore he up an' slid  
'Crost the range that wintry day.  
Did he slide? Well, I should say;  
Not the way you mean it, though;  
Up the hill we toted Joe,  
And we laid him 'neath the rocks;  
Death had called the turn—Jack Box.*

*'Fore he cashed in, Jeff Smith come,  
Asked if nothing could be done.  
Jeff, you see, thought well of Joe,  
Had known him twenty years or so;  
They'd pal'd together down below,  
Worked together, tooth and nail,  
Punchin' cattle on the trail,  
Dealt the old thing, tackled bluff,  
Each one knew t'other's stuff,  
And when one got in the hole,  
T'other just dug up the roll;  
So the boys all come to know  
That Joe liked Jeff and Jeff liked Joe.*

*When the great excitement came,  
Everyone who played a game,  
Square or sure, that could succeed,  
Packed his grip and came to Creede—  
Miners, merchants, macques and marks,  
Sure-thing men and bunco sharks,  
Men of money, men of greed,  
Everyone fetched up at Creede.*

*And, with all this human show,  
To the front came Jeff and Joe,  
Opened up the Orleans Club,  
Slept on tables, cooked their grub,  
And began to cop the dough,  
'Til Old Death showed up for Joe.*

*Jeff dropped in to see the end  
Of his old-time pal and friend,  
For, you see, he wished to know  
The last wishes of poor Joe.  
"Hello, Joe, you're gainin' ground,"  
Jeff remarked, lookin' 'round.  
"Yes," Joe answered, "but the change  
Soon will take me 'crost the range.*

*"Now, old boy, before I go,  
Just you tell me, yes or no,  
Did I ever throw a friend?  
Didn't I stay to the end?"*

*Through the toughest of the tough,  
Did I ever make a bluff?  
Ever treat a poor cuss mean?  
Can you show me ary place  
Where I've weakened in the race?  
Tell me, Jeff, my race is run."*  
—And Jeff answered, "Nary one."

*"Well," said Joe, "I'm glad of that;  
It comes easy to stand pat,  
When you know that you've done right,  
Even death itself looks bright;  
Now, old boy, don't preach and pray,  
Keep the gospel sharks away;  
'Tain't no use to call 'em late,  
Just to boost me through the gate.*

*"But let the boys, all hand in hand,  
A loyal, true, and jovial band,  
Gather 'round and fall in line  
And sing the 'Days of Auld Lang Syne';  
From each bottle break the neck,  
Fill each glass with Pommery Sec,  
And let each true friend drink this toast,  
'Here's to old Joe Simons' ghost.'"   
Jeff said, "Joe, it shall be done."  
And Joe answered, "Let 'er come."*



*Maybe you don't think that we  
Kept, in all sincerity,  
Jeff's last promise to poor Joe.  
Up the mountain, 'round the rocks,  
Came the wagon with the box;  
Up the mountain, through the snow,  
'Til we reached the grave of Joe;  
There, with heads uncovered all,  
Jeff Smith opened up the ball,  
Asked if anybody there  
Could say Joe Simons wasn't square,  
Or ever yet a wrong had done  
To a friend. All answered, "Nary one."  
"Well," said Jeff, "this is the end  
Of old Joe Simons, my best friend;  
Now, fill your glasses, fall in line,  
And sing the 'Days of Auld Lang Syne.'"*

*They drank and sang; the pure, white snow  
Fell softly on the grave of Joe;  
And, as for Jeff, well, I can say,  
No better man exists today.  
I don't mean good the way you do,  
No, not religious, only true—  
True to himself, true to his friend,  
Don't quit, nor weaken, to the end;  
And I can say, if any can,  
That Jeff will help his fellow man;*

*And here I thank him, don't you see,  
For kindness he has shown to me.*

*The Good Book says, at least I think  
It says, that whoso giveth drink  
To the least of one of these,  
The Savior he is bound to please.  
But then, of course, I do not know  
If this applies to Jeff and Joe.*

*But this I know: When all is o'er,  
And we have crossed to t'other shore,  
I hope we stand an equal show  
With sinners just like Jeff and Joe.*

The sparkle was gone from Smith's activities after Simons's death. To many of his associates he began intimating that he was about "fed up" with Creede, a state of mind which was aggravated by another blow which affected, not only himself, but all of Creede and, indeed, all the world which was vitally interested in silver. The Sherman Silver Act was repealed by Congress. India was closed to silver. The price of the metal took a vertical drop from \$1.29 an ounce to fifty cents.

The effect upon Creede was immediate. The boom slowed down swiftly, and the influx of newcomers decreased steadily. Since these were the

ideal prey of the marauding gentry, this seriously affected Soapy Smith's income. At the same time a number of the mines either reduced their activity or closed up altogether.

Meanwhile Creede was gradually emerging from its purely boom state. A solidarity was developing among the better citizens, and the business element was issuing continually broader hints that the underworld dictatorship was becoming wearisome. The combination of circumstances proved too much for Soapy. Although he had saved nothing from the flow of money which had poured into his hands, he had done extremely well during his sojourn, had lived luxuriously in so far as mining-camp conditions made this possible, and had had months of constant adventure. He had tasted real power. In all, but for the tragedy of Joe Simons's death, he had passed through a highly satisfactory period. So when he found that pressure would soon be brought heavily to bear against his rule, he decided to abdicate while still in apparent control and so announced his intentions.

"You're smart as usual, Soapy," a leading merchant told him. "We'll miss you like we miss the steam calliope at the circus. But things are getting settled here now, and we are going to run Creede along new lines. We're calling a halt on the rough stuff."

Not in the least offended, Smith replied, "Fair enough. All of us have a time to work, a time to play, and a time to go. It isn't going to cost me anything to quit. This camp is on the toboggan, anyhow. Give your crowd my best regards and say good-bye for me."

A day or two later he called his gang together, announced his immediate surrender of the dictatorship, peddled his Orleans Club for a song, and left Creede, never to return.

## Chapter XIII

### THE DEFENSE PRESENTS ITS CASE

JEFF SMITH's entire life was guided by circumstance. He was, distinctly, an opportunist. He rarely planned far ahead. When circumstance opened the way, he was swift to grasp the opportunities which were offered him and made the most of them. The moment the episode had passed, he relaxed into an easy, haphazard mode of life and waited for new circumstances to develop which would provide him with a new chance for a more spectacular foray. As a result the record of his life is one of peaks and valleys. Three times in his career he reached unique heights when his twisted genius flared forth brilliantly, and each successive high point towered above the preceding. Of these, Creede was the first.

The peculiarly conflicting elements of good and evil which made up Smith's character prevented him from capitalizing his talents to their fullest extent either for good or for evil. And, apparently, this conflict within him made him indifferent to his real possibilities and kept him content to make a temporary most of individual opportunities which

circumstance provided for him. His latent genius was such that he might well have become one of the greatest outlaw chiefs of all time, but he lacked the ruthlessness and the oneness of objective to lead an enterprise wholly evil. On the two occasions when he was an undisputed king of outlaws, at Creede and, later, in the Klondike, he demonstrated the unmistakable and powerful qualities of leadership which he possessed, but he could never be a sustained villain.

What he might have done had he devoted his talents and his energies entirely for good is, of course, a matter of pure speculation; but that he could have become great, there is little question. He proved this constantly by the manner in which his magnetic and forceful personality won the friendship and the unwilling acclaim of those who, fundamentally, from a moral standpoint, were his bitterest enemies. The evidence multiplies through the record of his career that he wanted, and often deliberately sought, the esteem of those from whom he had alienated himself; but, with the stubbornness peculiar to his nature, he clung to the end to the false path he had chosen, a victim of his own misplaced loyalties.

Thus, when the Creede dictatorship faded, he wasted no time in vain regrets. The episode was over, so far as he was concerned. He was not yet

thirty-three years old, and life held plenty of promise. The fact that he left the silver-boom town with little cash worried him no whit. So long as gullible human nature remained the same, he was confident of his ability to keep himself well fed and comfortable. One thing the Creede experience did do to him and his outlook on life. The power and feeling of substance he had possessed there left their indelible mark upon his mind. Never again was he to be content with the life of a mere street hawker. He was destined to pursue that vocation frequently as he plodded the valleys of his life, but always he aimed for a better position.

After he abandoned Creede, he followed the line of least resistance and gravitated back to Denver, taking what remained of his troupe with him. The solidarity of the gang was somewhat broken after Creede. Simons was gone. Tom Crippen was now with Bat Masterson. "Fatty" Gray had wandered to other pastures. Several of the underlings, never too closely held, had drifted away. But there were always new candidates, and from these Soapy continued to select those whom he wanted as his assistants.

Needing an immediate stake before he decided his next move, he went back to his corner on Seventeenth Street and once more began his soap business, with as great success as ever. His ambi-

tions briefly aroused, he did not immediately squander his income from these efforts, but waited until he had amassed a reasonable sum. Then he opened the Tivoli Club, patterned after the Orleans Club of Creede. This was his first effort at operating a housed institution in the Colorado capital, and it immediately regained for him his old position of precedence in the sporting fraternity there.

The Tivoli had an elaborate bar downstairs, the upper floor being devoted to gambling. At this time Denver was more wide open than at any other period since its earliest days, but, as a sop to the law-abiding citizenry, the police occasionally raided various sporting institutions. Having no desire for such an invasion of his own place, Soapy sought the counsel of Syd Dixon as to ways and means of offsetting the possibility. Dixon promptly offered a suggestion to which his chief acceded heartily.

"Put a sign at the head of the steps," Dixon advised, "one that will definitely warn people against coming up. Then, if there is any complaint to the police, you can put up the defense that the sucker knew what he was going up against."

"All right," Soapy agreed, "we'll have the sign, but we'll write it in Greek or some other language the people don't understand."

"I have it," Dixon announced, after a moment's



thought; "we'll use a warning that's come down through the ages so nobody can complain that we're springing something new on them. It'll be 'Caveat Emptor.'"

"Huh?" demanded Soapy. "What's that?"

"It's Latin, and it means 'Let the buyer beware.'"

"Good enough," Soapy replied and detailed Dixon to have the sign painted. It was duly delivered in a gilt frame, and when it was on the wall, Soapy viewed it with considerable satisfaction.

"That ought to do the trick," he said. "If anybody asks us what it means, we'll tell 'em the truth, but we don't have to tell 'em unless they ask. And nobody can say we didn't warn 'em."

While the Tivoli won instant success, Soapy did not abandon his soap game. There being no necessity for maintaining a superior dignity in Denver, he spent two or three hours a day collecting the five-dollar offerings of soap-stand patrons, this being money too easily acquired to pass up. The rest of his time he spent at the Tivoli.

Soon he was riding higher than ever in Denver. Business was excellent on all fronts for him, and the outlanders were plucked with such consistency that the Denver press referred to the bunco chief as "the hayseed educator of Seventeenth Street." But trouble was lurking around the corner. One

night, while walking down the street with the shell man, Tom Cady, he persuaded his companion to accompany him for a drink at Murphy's exchange, the Slaughter House.

Cady entered somewhat unwillingly. He was not on friendly terms with Murphy and usually kept as much distance as possible between himself and the exchange's proprietor, but, urged by Soapy, he consented to go in. As they walked into the bar-room, Murphy himself, Cort Thompson, gambler, Jim Jordan, alias Henry Gilmore, gunman, and Cliff Sparks, gambler and plunger from St. Louis, were at the bar.

Smith and Cady, the latter, as usual, carrying the loaded cane he bore for self-protection, passed the group and ordered drinks for themselves. As they stood imbibing, someone in the Murphy group dropped a remark derogatory of the "soap gang" which Cady overheard. In a flash of anger the shell man turned and swung his cane upon Murphy's head. A *mêlée* started immediately, in the midst of which a shot was fired and Sparks, who had taken no part in the altercation, fell to the floor, mortally wounded.

An excited crowd poured in from the street, among them a tinhorn with the appropriate name of Bill Crooks. As he glimpsed the body of Sparks, a cry of anguish burst from Crooks's lips, and he

dropped on his knees beside the body, wailing pitifully.

"You've killed him!" he moaned. "My old friend Cliff! The best pal I ever had!" In the violence of his apparent grief Crooks laid his head upon Sparks's breast and clutched the body in his arms. Bystanders, deeply moved, lifted the mourner tenderly to his feet. Huge tears rolling down his cheeks, the snuffling Crooks slowly made his way to the door and disappeared.

A few moments later it was discovered that Sparks's diamond stud, a \$2,500 gem which had adorned his shirt front, was missing. Crooks, in his feigned demonstration of sorrow, had bitten out the stud as he was supposedly listening to the last heartbeats of his "best pal" and came up with the jewel in his mouth.

Cady and Jordan were jailed for the murder, and Smith had to come to the front for his gang mate. He convinced the authorities that his cane was the only weapon Cady had brought into use and that no shot had been fired from the shell man's pistol, so Cady was released. Jordan was placed on trial but was acquitted. The day following the shooting, Denver newspapers carried full details in which Soapy Smith was given due publicity. Peculiarly enough, it was not unfavorable. The *Denver Republican*, an extremely conservative paper, now

out of existence, published the following comment:

“Kind-hearted, generous Soapy Smith is known to many men. Many know him, too, as a man who would stand by his friends to the end. Many others know him as a bitter enemy. When he thinks he is right, he stands by it, and when he thinks the other way, he stands by that, too.”

Against Murphy, however, the newspaper comments were anything but favorable, and the killing was pointed out as another black mark against the notorious exchange. Murphy had the typical shoddy record of the gambling-den proprietor of his day. He had been an engineer on the Denver & Rio Grande railroad and was leading a respectable life when, in a fight, he received a gunshot wound which incapacitated him for further effort at the throttle. He turned to gambling and, in due time, opened his exchange in opposition to the Arcade, then the leading gambling hall of Denver, establishing a saloon on the ground floor. From the start, the place had an unsavory name, and it gradually became notorious as the center of shooting affrays. Eventually Murphy indulged in one of these himself, shooting his wife in a fit of jealousy. He was committed to prison for fifteen months, but, after serving his time, returned to his den and rounded up a considerable following. In the more sober Denver of today, the Slaughter House, fittingly

enough, is a mission and shelter for homeless men.

After the Sparks affair matters moved smoothly for a time for Soapy Smith, but more trouble was in store for him. The high-handedness with which the games were operated at the Tivoli began to bring intimations of official disapproval. The climax came when two southern California real-estate dealers dropped fifteen hundred dollars at the Tivoli and registered an official complaint.

Soapy was promptly haled before the Fire and Police Commission to give an account of himself. Wholly unabashed, he declared that he would act as his own counsel and, when called upon for his defense, expounded his case with as brazen and impudent a harangue as was ever heard in any court.

"Gentlemen of the commission," he began, facing his investigators with a nonchalance and ease that was disarming, "in addressing your august body, I represent not only myself but the competent and trustworthy aides I have employed to assist me in my business. It is true that these gentlemen, the complainants, in pursuit of fortunes easily gained, if you hold the right hands or call the right numbers, visited my institution, the Tivoli. It seems—and the defense does not deny it—that the fickle goddess gave them the run-around. In other words, they didn't break the bank. The bank broke them.

"Now who are these strangers? I am informed that they are en route to New York, their purpose being to dispose of waterfront property somewhere in the vicinity of Los Angeles. It has been hinted that their lots are all wet at high tide. But far be it from me to criticize their occupation. They are intelligent business men, and they are working a good game. I am not one to expose their practices, but it destroys my faith in human nature to see these so-called sports run whining to you for help after trying to beat me out of my hard-earned dollars. Here they ran up against another man's game, and the pity of it is that, when they failed to win, they squealed. Just think of it, gentlemen! The sharpers squeal and squawk. They violate all the ethics of the profession and abuse our hospitality. Their whole purpose was to beat us, but now they are wiser if not better men.

"As a matter of fact, gentlemen, I wish to assure you that we should not be classed as gamblers. We do not conduct a gambling establishment. We are reformers in the true sense of the word! There are many so-called legitimate gambling places run openly in this city where the victims play day after day and night after night. I conduct no such unsavory business.

"At the Tivoli I am running an educational institution!

“The famous Keeley institute provides a cure for the drinking habit. At the Tivoli I have a cure for the gambling habit. The man who steps into my place is faced with the sign, ‘Caveat Emptor,’ which hangs upon the wall. That is the danger beacon, a warning to all to slow up before rounding the curve. The stranger is not compelled to play. He must use his own judgment. But if he wants to play, he is not discouraged. Why should we tell him it is useless to buck our tables? Let him learn for himself by actual experience. So we take him in hand and give him a cure for the gambling habit. He has, of course, no chance of winning a cent, because, in my games, the player cannot win. When he leaves, he has learned a valuable lesson, one which he never will forget. He is disappointed, naturally, but he has had experience of the greatest value.

“In fact, gentlemen, I should be recognized as a public benefactor! Instead, I am hustled in disgrace before your commission as a malefactor, one who openly defies the law. I could name many men who have renounced gambling and who have been cured of avarice and cupidity and restored to moral health by taking my treatment. Contrast my own business with the evils attendant upon real gambling in this city, backed by magnates who have no conscience. How many young men, employed by the

mercantile establishments and banks of our city, have been ruined in these houses? The victims are numbered by the hundreds.

“My associates and myself devote our time and attention to the transients, the newcomers, the strangers, and we leave the local people alone. A vulgar prejudice has cast odium upon our profession, and none cry so loudly against us as these so-called legitimate gamblers. Why is it that there is no popular indignation against the swindling broker who despoils the estates of widows and orphans? There is little criticism of the shyster lawyer, the fake doctor, the rascally produce merchants, the swindling spiritualists, clairvoyants, and fortune tellers. So why pick on us? We, at the Tivoli, are engaged in the worthy cause of instructing and reforming those grasping and selfish souls who can understand only the kind of lessons which we teach. Praise, instead of censure, should be our portion.

“Gentlemen, I have laid my cards upon the table and ask for the dismissal of this complaint. The defense rests. I leave my reputation in your hands.”

The sheer effrontery of the speech left the commission gasping when it was not chuckling. At its close there was no doubt of the result. Smith was given a unanimous vote of acquittal.



## Chapter XIV

### SOAPY TURNS PREACHER

PUBLICLY exonerated by the commission, Smith now entered upon a period that, in retrospect, was as nearly peaceful as any in the turbulent years of life which still remained for him. His life was always full of interesting incident, but he was now progressing through one of the valleys of his career during which he plied his craft of ensnaring easy dollars virtually unmolested. At this time, too, he acquired a new member for his gang, no less than his own brother, Bascom, who had been intrigued by the tales which drifted to Georgia of Jeff's thrilling life and success and came up from the South to join him. Bascom was considerably different in type from his more or less illustrious brother. He lacked the equanimity and easy-going disposition of Soapy and was prone to permit his irritations to overcome him, a condition of temperament which later brought him to grief.

Meanwhile, as the money continued to roll in, Soapy had plenty of opportunity to indulge in the habit which kept him constantly impoverished but provided his chief source of pleasure. This was his

never-ceasing distribution of largesse. He had an irresistible impulse for charity without thought of any personal advantage to be derived therefrom. Living sumptuously himself, he could not endure the thought of fellow humans in distress.

He performed many of his acts of generosity through the medium of the Church, contributing the necessary funds and keeping himself entirely out of the picture. In this mode of charity his chief assistant was Parson Thomas Uzzell, founder of the People's Tabernacle in Denver, a rough-hewn but kindly soul who spent most of his time extending a helping hand to the downtrodden. Uzzell had only to mention a case of distress to Smith, and the necessary cash would be forthcoming immediately. Whenever he was short of funds himself, the Tivoli proprietor went openly to his friends and demanded subscriptions—and he never returned empty-handed.

The friendship between the parson and the bunco king was one of those extraordinary relationships which sometimes spring up between individuals at opposite ends of the social order who find one common ground and meet there with unique and beneficial results. So it was with Smith and the parson. Utterly at variance in their outlook on life, they had a mutual respect for each other which endured through the years.

"The Lord loveth a cheerful giver," the parson once said, "and if ever there was a cheerful giver, Jefferson is that man. He always finds a way, and it is ever his delight to shame the greedy into giving to the needy. He has the attributes of genius, but he has chosen the wrong road of life. I have told him so myself repeatedly and sought to turn him from his path, but if through his agency I am enabled to accomplish good in this sad world, why should I refuse his aid?"

Isadore Leon relates that upon the occasion of an important religious convention held in Denver, Parson Uzzell was piloting a group of delegates on a tour of the city when they encountered Soapy, whom the guide introduced to his astonished conferees as "the greatest confidence man in America—and my friend." Then, in a deeply earnest voice, not unmoved by genuine emotion, Uzzell said impressively:

"Jefferson, a man with your talents who would devote his life to the teaching of the Gospel would make one of the greatest servants of the Lord in the present generation. Why don't you join us?"

Soapy received the words gravely, then pushed back his hat and, with a grin, replied, "Parson, I would, if I thought you were on the square."

"I am, and I'm going to take you up on that in a way you don't suspect," the parson replied. The

result came sooner than Soapy himself expected and resulted in his performing one of the most extraordinary and incredible acts of his life. Shortly after the meeting on the street, Parson Uzzell came to Soapy and requested him to speak before the men's Bible class at the Tabernacle. Soapy was dumfounded by the invitation, but the minister assured him that he was in earnest.

"A man of your type ought to be in a position to say something worth while," he said. "I want somebody to talk to these young men on the question of temperance. Now, you're a temperate man. You're not a teetotaler, I know, but you know the value of temperance and how it's necessary even in your own walk of life. Tell them about that. Will you?"

Only a genius in psychology could know what actually lay behind Soapy's acceptance. Judging from his general scheme of life, the most logical reason seems to have been a simple desire to "give the parson a hand" in the commendable task of guiding his young men along the paths of righteousness which he himself had avoided. Even as a leader of sharps and thugs he retained an innate sense of decency and a desire to be helpful, and apparently he was inspired by a sincere desire to help others to avoid the traps which had caught so many in his own circle.

So it was an amazed group of young men to whom Parson Uzzell introduced the bunco chieftain on the following Sunday, but their immediate astonishment was no greater than that created by the unique address which Soapy made. Parson Uzzell had not misjudged his man.

"Young fellows," said Soapy, "I am here, not as a preacher, but as a bad example. You see before you a man who has had wonderful opportunities but who has thrown them aside for worldly things. The good parson has asked me to say a few words to you concerning temperance and decent living, and I can speak of this with authority because I am constantly up against the results of failure to live temperately and decently in the people with whom I associate daily.

"It is my observation that the smartest men in the country, the men who have advanced to leadership in all lines, are men who do not indulge in liquor. Those that drink fall by the wayside and soon are forgotten. I am no water-drinking champion myself, but many times I have been obliged to discharge men from my service because they could not resist the temptation of good fellowship at the bars. Even in my profession the drinker cannot hold his own. He can't find his wits when the time comes to use them.

"By the same token, lay off the cards and the

dice. You can't beat them. If you buck the sharper's game you will be badly fooled and may plunge yourself into a desperate situation from which you cannot rescue yourself.

"There is some hope for you young men. There is no hope for the old-timers in sin. They are past redemption, and most of them are down and out. You have your chance now. Keep away from the evil things, now and always. Look at me. I am supposed to be successful, but today I am poorer than almost every one of you in this room.

"Keep your minds and your bodies clean, boys. Keep them clean. Listen to what the parson tells you and walk the straight line. It will pay you. And don't be so anxious to know the worst about the world."

There wasn't a soul in the room who hadn't seen Soapy at his soap stand on Seventeenth Street, not one but knew much of his Tivoli activities. When he first began to speak they were skeptical and inclined to scoff, but in a few minutes his earnestness and evident sincerity won them. For half an hour he continued his discourse, and when he sat down he was rewarded with the hearty, unstinted applause of his auditors. It was Soapy's only performance in this unusual rôle, but it knit the bond between him and the minister more closely than ever, and the bunco king was even more assid-

uous thereafter in according the preacher his own peculiar type of support.

Herbert Southard, then a police sergeant in Denver and now a resident of Los Angeles, recalls a notable example of the devious methods Soapy followed to offer this support. Parson Uzzell was accustomed to providing an annual Christmas feast for the poor at the Tabernacle, but one year, as the holiday season drew near, found the church treasury empty—a not unaccustomed state—and the prospects for the Christmas dinner seemed slim. He went to Soapy and made known his need. The bunco expert told him not to worry and guaranteed that the needy would not go hungry.

That day Soapy had an unusually successful session at the soap stand. With the substantial proceeds he hastened to the Arcade gambling hall and indulged in his favorite pastime of bucking the faro bank. Luck was with him from the start, and when, late that night, he arose from his chair, his profits were \$5,500. Shaking off his companions who, he knew, would be “on the touch” immediately, he skipped downstairs, gulped a drink at the bar, and summoned a hack.

“Drive to Parson Uzzell’s home,” he called out. The trip was long, and it was past one o’clock when he arrived at his destination, where he began a loud rapping on the door. Finally aroused from his right-

eous slumber, the parson thrust his head through an upstairs window and demanded to know who was calling.

"It's Soapy—Soapy Smith," shouted the visitor. "I've got something for you."

The parson, in his nightshirt, descended the stairs and opened the door.

"Here, take this and set up a Christmas dinner for your people," said Smith, thrusting a large roll of greenbacks into Uzzell's hand. Then, before the preacher could even express his thanks, he turned swiftly about, jumped into the hack, and hurried away. Uzzell found himself in possession of \$1,500. On Christmas day a particularly bounteous feast was provided for the poor at the Tabernacle.

Smith also established a custom of sending new twenty-dollar bills as Christmas gifts to a long list of needy friends and acquaintances every year, a custom which was adopted later by Lou Blonger, who was Soapy's successor as bunco chief of Denver. It was common report that the most prominent banker in the city entrusted substantial sums to Smith for distribution among the destitute. A large part of this was turned over to Parson Uzzell, and the remainder was distributed with a free hand by Soapy himself.

At one time, when the parson made an appeal for funds to help a needy family in actual suffering,



the bunco man's fortunes were at a low ebb, and business in general among the sporting fraternity was below par. But, never without resource, Soapy organized what proved to be the strangest auction sale in Denver's history. He summoned his crowd and other friends and instructed them to contribute marketable articles for sale and also to go out and gather other merchandise. The assembly of goods which followed was unique.

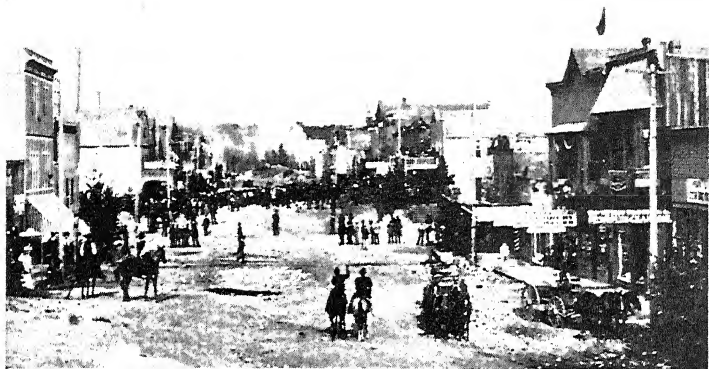
One man, assigned to the red-light district, returned with an express-wagon load of garish furnishings and finery, mostly obtained by threats. Joe Palmer secured a collection of six-guns and other lethal weapons. The Duke of Halsted street threw in an assortment of his own well-made garments, all still extremely serviceable. Jimmy Thornton donated a horse he had won at a raffle. Yankee Hank Fewclothes contributed half a dozen pails of honey. High Yaller, a new hanger-on of the gang, offered some sure-thing dice, together with a stack of well-thumbed dime novels. A bandit barber sent a collection of shaving mugs with the gilded initials of departed customers and a discarded barber's chair. The "Reverend" Bowers was acclaimed when he appeared with a pure white French poodle of guaranteed pedigree. Not to be outdone, Ice Box Murphy added a mottled cat with a pink ribbon about its neck. Even the patrolman on the

beat entered into the spirit of the occasion and made his entry with a truckload of carpets, rugs, and furniture picked up in his territory. Doctor Fat of Chinatown, placid—and notorious—proprietor of a prosperous opium joint, made the prize contribution of all, a costly opium pipe. Ling Chan, boss laundryman whose undying gratitude Soapy had won by using political pull to save the Chinaman from an infraction of the law, sent handsome silks and valuable *objets d'art* imported from the Orient.

Then the bunco steerers, shillabers, cappers, and boosters all joined hands in drumming up a crowd on the day of the vendue. Banjo Parker, seated on a high box at the entrance, whanged out thrilling ballads which, together with the ballyhoo, snared a full house.

Radiating dignity, Jeff Smith himself officiated as auctioneer and performed nobly and with telling effect. The queer array of goods brought excellent prices, and when the sale was ended Soapy turned over more than nine hundred dollars to Parson Uzzell for the benefit of the stricken family.

“And, besides, we have something else,” Smith announced and thrust the fuzzy French poodle into the parson’s arms. “Give it to the kids of the family. They’ll have a lot of fun playing with it. One of my own men bid it in for me. It’s paid for, too.”



Miners with gold-loaded pokes came to Colorado towns like this to be fleeced by Soapy Smith and his gang.



"An-ounce-of-gold-a-dance" at this Colorado amusement palace.





Gold drew them from sunny Kentucky and bright California to frozen Dawson City.



"Actresses" from the Barbary Coast waded streams to get at the gold-dust pouches of prospectors in Alaska.



## Skagway Alaska 1898



"I'm going to be boss of this town," said Soapy Smith when he saw the Broadway of Skagway at the height of the Gold Rush. Down this street strode the toughest men in the world.



A FEW OF THE SOAPY SMITH GANG WHO WERE SHIPED OUT.

Copyright 1898 by Case & Draper

Soapy Smith's gang, perhaps the most brilliant group of sharpers ever assembled.





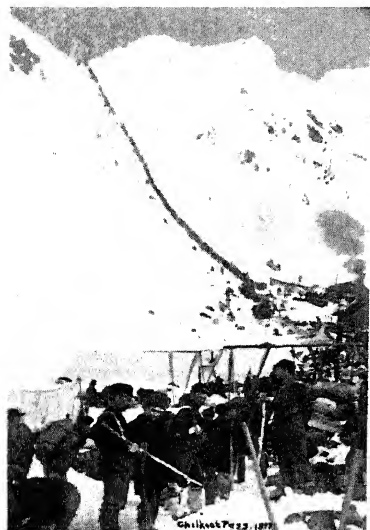


One of the strange population that made up Skagway. Mrs. Harriet Pullen, "Mother of the North," witnessed Soapy's death.



Soapy Smith's saloon, where gold dust went over the bar in exchange for drinks. The proprietor in the foreground.





Though the snowslide of 1898 in Chilkoot Pass snuffed out 200 gold-maddened prospectors' lives, the next week the Pass was black with more prospectors going "over the hill" to the Gold Fields.



Digging for frozen corpses buried many feet beneath an avalanche of wet snow and ice.

Copyright 1898, E. A. Hegg





Crowds cheered Soapy Smith as grand marshal of Skagway's Fourth of July parade. Four days later he was dead at their hands.





The last "chip" of a born gambler.



"Not my first gamble with life," said Soapy Smith as he went to Juneau Wharf to argue with Vigilantes. He lost.





## Chapter XV

### THE UP AND DOWN

DURING the early days of 1893 matters flowed along swimmingly for Soapy Smith and his gang. Prosperity showered itself upon them, and there was no portent of the storm which was destined to break in the near future. Cards, dice, shells, and the soap racket continued to be the mainstays of the gang, but in order to accommodate the increasing number of prospects they eventually introduced new forms of imposition and fraud.

One of the most barefaced of these was conceived by two of Soapy's lieutenants and was worthy of the master himself. This was a sure-thing swindle, known among the operators as the Up and Down and involved the operation of a fake stock exchange decked out in a most convincing manner. It was designed definitely to trap the outlanders who wandered into Denver and, in this respect, proved a tremendous success.

The Up and Down was installed in one of the large poolrooms. A blackboard carried the names of fictitious mining stocks, and the equipment in-

cluded ticker and tape. An operator sat in a room a few doors away and sent in quotations throughout the regular trading hours, the speculators who crowded the place being given the opportunity to gamble on whether the particular stock in which they seemed to invest would go up or down. They received instantaneous action for their money. A man at the tape sang out the ticker report, which was chalked up on the board, while cappers circulated what they whispered as sure-fire tips.

"Investments" could be made in any amount from two dollars up, and the speculator had to wait only a minute or two to learn whether he had doubled or trebled his money or been wiped out. The last was the most customary result.

Local and visiting crooks, knowing the Up and Down to be an open-and-shut swindle, viewed its tremendous success with envious eyes, but it remained for two Kansas City tin horns to solve the situation. After snooping about for a day or two, this pair learned that the quotations for the tape were made up in toto a day ahead of time and that the manipulators worked in the back apartment of a downtown hotel.

The method employed in deciding the trend of the stocks for the following day was charming in its simplicity. A pack of cards was placed in a faro bank and then drawn, one by one. If the face of

the card was higher than that preceding it, the quotation of the stock under consideration was boosted; if lower, the stock dropped. The record of the cards was duly listed upon a sheet and turned over to the operator next morning to be sent over the "wire."

The Kansas City pair rented a hotel room facing the alley directly opposite the apartment where the quotations were fixed. At a pawnshop they purchased a pair of strong field glasses. Having no suspicion that they were being spied upon, the market framers kept the shades up, and thus the watchers were enabled to make a complete record for their own use of the fluctuations of the market due to occur the following day.

There was some stir and a vaguely growing doubt in the Up and Down market when the tin-horns came in and made some lucky plays, but for a day or two they did not press their "luck." Then came a day when they suddenly plunged heavily and, while a bewildered and wrathful group of manipulators of the "market" looked on helplessly, the pair called the turn on stock after stock. When they had finally ceased trading they walked out of the house with a profit of \$18,000, never to reappear.

The operators became highly suspicious of a leak and hired a private detective agency to run

down the mystery. It was finally solved when a bellhop divulged that he had observed the strangers using field glasses at their window and the pawnshop where the glasses had been bought was located. The pawnbroker readily identified the two strangers who had purchased the glasses from the description given by the detective. Thereafter the market fixers made their quotations behind drawn shades, and the Up and Down lost no more money—for its operators.

In the spring Soapy sustained an accident of which he took an amusing advantage. While crossing Larimer Street, he attempted to evade a rapidly approaching horse and buggy but slipped in the mud and was run over. While the driver came to a quick stop and a crowd gathered, Soapy arose to his feet, roaring his indignation.

“This is the first time in history that a man has been trampled by horse’s hooves and ground down under wheels and escaped without broken bones,” he exclaimed, resentfully. “Think of my feelings, lying there, uninjured, with my face in the mud! Somebody’s got to pay for this. It’s too humiliating.”

The driver of the rig, a local brewer, well-known to Soapy and with a face the color of a Hood River apple, apologized profusely. He admitted that he was not wholly sober and had not been driving

carefully, but Smith sternly demanded satisfaction, finally ending with:

"Your beer collector shows up in police court a good deal, and I know he squares a lot of cases."

"Yes, just so," replied the brewer.

"Well, what I want you to do is this," said Soapy. "You tell your beer-collector fixer to look after the interests of my friends when they're brought to court, just as he looks after your customers. Do this and I won't sue you for damages for this terrible accident—and I'd just about made up my mind to sue for \$50,000 for ruining my suit and my dignity. The humiliation of being unhurt is worth almost twenty-five thousand more."

Finally understanding that he was being "ribbed," the brewer agreed heartily to the proposition and kept his word, and thus Soapy gained another friend at court.

But trouble for Soapy was in the offing again. Early in 1893 there drifted into Denver, from California, Harry "Shotgun" Smith, no relative of Jeff's, but widely known among criminals for his dexterity with firearms and his participation in notable robberies. He gained his sobriquet through a hold-up at a roadhouse near Los Angeles where, single-handed and armed only with a double-barreled shotgun, he lined up the proprietor and a dozen guests and made away with their money and

jewels. He had been deported from Salt Lake City and run out of Ogden as an undesirable, but he received protection from Soapy when he came to Denver and asked for Smith's assistance. But Soapy held no brief for his profession, having always been opposed to highwaymen, and there was no employment to be found for Shotgun.

"I can start on the road here and do a good business," said Shotgun.

"Oh, no, you won't," Soapy declared vigorously. "I have enough responsibilities without trying to shield a hold-up. I don't want any of your game. My boys use their wits to get the money. Strong-arm stuff doesn't go. If you want to stick around with us, all right, but I won't stand for any rough work."

Shotgun put up the argument that he knew nothing about bunco effort, but he dared not leave Smith's sheltering wing. So, barred from raising funds with his gun, he hung about the Tivoli, disgruntled and quarrelsome, daily becoming more disagreeable and incurring the special dislike of Bascom Smith.

The fatal climax of their feud came in June, 1893, on a night when the bunco men assembled in a back room of the Tivoli to divide the day's loot and plan tomorrow's activities. Inquisitive concerning the session, Shotgun invaded the room, uninvited.

Bascom brusquely ordered him to leave. Unaccustomed to taking peremptory instructions from anyone, Shotgun stood his ground and declined to move. Bascom leaped to his feet, his face red with anger.

"You will get out!" he yelled. He grabbed Shotgun and pushed him violently through the door. Shotgun tumbled to the floor of the barroom. Whether he attempted to draw a weapon is uncertain, but without further ado Bascom pulled a revolver and fired.

Shotgun rolled over, mortally wounded, and lived only a few minutes. Bascom was arrested immediately and charged with murder. Soapy found himself faced with a harder task than usual in going to the front for his brother. Bascom insisted that he had fired in self-defense, but the stories of the witnesses were vaguely uncertain on this point. However, Soapy exerted his supreme efforts and, finally, by using every ounce of "pull" he possessed, managed to have his brother released, and the case never came to trial. Whether the shooting actually was in self-defense never was cleared up fully.

## Chapter XVI

### “BLOOD-TO-THE-BRIDLES”

IN THOSE early months of 1893 events were on the move in Colorado, and black shadows were creeping up on Soapy's world, though neither he nor those around him recognized the omens. The lawlessness which had gained a new foothold after the temporary reform wave of 1890 had reached its untrammelled height in Denver. The wide-open town element in the state capital enjoyed high favor with the police and sheriff offices. Corruption, graft, and bribery were at their worst. Crime was rampant. Shootings were increasingly frequent, and justice was consistently defeated when slayers were brought to trial. As the latest move to hamstring the law, a new form of defense for murderers was successfully introduced, destined to become increasingly popular and notorious in the decades which followed.

At Murphy's exchange the renegade son of a wealthy Kentucky family added another chapter to the bloody record of the Slaughter House by killing an innocent customer, shooting him down in cold blood at the swinging doors of the saloon.



"This defendant," said the young man's lawyer at the trial, "was suffering from a brain storm and, therefore, was wholly irresponsible. He had been drinking steadily for a week, which so affected his mind, temporarily, that he cannot be held accountable for his act."

The plea was successful. The jury agreed with the lawyer for the defense and acquitted the slayer. Later, in another "brain storm," he took the life of a dance-hall girl, but again used the same defense and once more escaped punishment.

Some of the justice courts reeked with corruption and were prolific sources of blackmail and petty pilfering. One justice ran a crap game in his court-rooms after hours, and, on the bench, whenever he asked for a drink of water, he was served whisky in a tin cup. He built a one-cell jail in the basement beneath his temple of justice, where he proposed to incarcerate the city's chief gambling-house proprietor who had refused to lend him money. The threat was effective, and the justice's name was added to the payroll of the gambling boss.

Another justice and his bibulous constable went out together for a "big night" and eventually found themselves out of funds in an underworld resort conducted in ostentatious style by a leader of the demimonde newly arrived from the Pacific coast. To the intoxicated justice the solution of his di-

lemma was simple. He ordered his hostess and all the girl inmates and servants in the place to assemble and thereupon conducted an impromptu court. At his instructions, the staggering constable waved a bunch of papers at the gathering, announcing thickly that they were warrants for the arrest of all before him. While the "madam" and the girls shrieked with laughter, thinking the entire affair a joke, the justice found his hostess guilty of conducting a disorderly house, promptly fined her fifty dollars, and when she demurred, she suddenly discovered that the farce was a matter of complete seriousness so far as she was concerned. She was forced to disgorge the fifty dollars, after which the justice fined each girl and each servant ten dollars, which the constable duly collected, after which the "arms of the law" departed to continue their carousal elsewhere.

At elections all the hacks and omnibuses in town were hired by corrupt politicians to round up fake voters. On their rounds they would stop at Chinatown, where stupefied opium addicts were dragged from their bunks and hauled to the polling places, there to cast ballots as instructed. Throughout the day vehicles packed with "repeaters" would hasten from polling place to polling place.

Confidence men patrolled the streets on a time schedule, as exact and regular as that observed by

the policemen on their beats. The bandit barbers of Seventeenth Street continued their efforts unmolested. Brigand hack drivers played the tourists for all the traffic would bear. Policy and lottery games filched dimes and dollars from a speculative public. Fake mining concerns prospered. The red-light districts ran wide open. Criminal actions were squared in the courts. Suckers were browbeaten or driven out of town before they could reach the police with their complaints. Justice court mills worked overtime. Warrants of arrest, summonses, subpoenas, and writs flew in all directions, the crooked courts holding open the sacks into which the costs dropped.

Such was the Denver of 1893. But revolt was in sight. Aghast at the conditions which had developed, the populace at large determined to do something, anything, to end the existing situation.

In the state elections of that year, the rebellious citizens of Colorado saw their chance. While conditions were worst in Denver, they were duplicated in a lesser degree throughout the state, and the respectable elements of the entire commonwealth were up in arms. As their hero for the occasion they selected a white-whiskered and fiery zealot by the name of Davis H. Waite, who was running for governor on the Populist ticket. Sweeping wholesale reform was the keynote of Waite's campaign, and

his foes promptly dubbed him "Blood-to-the-Bridles" Waite when, in an inflammatory speech, he promised to "fight iniquity until blood runs as deep as the cavalry's bridles."

The liberals jeered at Waite's campaign and looked forward to their customary victory. But they did not realize how thoroughly the state had been aroused, and when the votes were tallied their laughter faded, for the Populist candidate was swept into office. In the state capital itself Waite's election was pretty well discounted, and the wide-open protagonists were inclined to view the situation with calmness because their forces still controlled the city. But they reckoned without Waite.

The new governor took his campaign pledges seriously. He determined immediately to uproot all graft, corruption, and lawlessness throughout his domain and, in the course of his survey, cast a particularly critical eye upon conditions in the capital city. The fact that the condition was one of municipal and not state authority did not deter him for a moment. Observing that his opponents were strongly entrenched, he leaped into the battle of cleaning up Denver with a vigor that made up in sound and fury what it lacked in wisdom.

Apparently Waite lost all sense of balance when he plunged into his warfare against iniquity with

authority in his grasp, taking it for granted that his election had given him the right to use any methods, no matter how unreasonable or violent in themselves, to achieve his purpose. In a perpetual state of fiery indignation, the patriarchal governor devoted himself unstintingly to renovating Denver itself.

From the state capitol he issued pronunciamientos, edicts, orders, and ukases, all aimed to wipe out the evils of the day. He peremptorily ordered the Denver Fire and Police Commission to "clean house," and when they paid no heed to his demands on the grounds that his authority did not extend to them, he called the commissioners sharply to task. Infuriated anew by their sniffing at his policies, he demanded that they resign—only to receive a flat refusal.

Enraged beyond discretion, the governor made swift plans to execute a grand coup to restore dignity and authority to the gubernatorial office and issued a warning that, unless the commissioners bowed to his will at once, he would call out the militia and show one and all who was boss of Colorado and all its inhabitants.

Events moved rapidly after that. The gravity of the situation and the complete seriousness with which the fanatical Waite made his threat were not comprehended by a good-natured public which

had been vastly amused by the political fireworks. The liberal leaders, however, began to sense something of the deadly earnestness of the state executive and, as the situation became suddenly crucial, they, headed by Soapy Smith himself, volunteered their services to the Fire and Police Commission and other City Hall departments which had drawn the wrath of the stormy governor. The climax came when Waite's patience—never too great—was exhausted and he abruptly ordered out the troops, as he had threatened. What ensued next day became famous as the Denver City Hall War, and a review of the events of the day discloses that only by a hairbreadth did the city escape a wholesale slaughter under the orders of the raging state executive.

The order for the troops went out in the evening, commanding them to march on the City Hall the following morning. Report passed swiftly throughout the Hall that the governor planned to go to the utmost extremes to force through his plans, and the civic departments, driven to the wall, prepared for a vigorous defense. As darkness fell, word was sent out, summoning Soapy Smith to the City Hall. He went at once and, after a hasty conference with the fire and police commissioners, was given command of various phases of the projected defense for which he promised to supply his own army. Meanwhile

the municipal officials and employees against whom the governor had directed his verbal attacks foregathered at the City Hall, determined to guard their posts with their lives.

Soapy Smith moved swiftly. He gathered a veritable army from the sporting fraternity, assembling as desperate a crew of dry-land pirates as ever united under the banner of a single leader in the West. Their first duty that night was to raid all hardware stores and pawnshops and acquire every available rifle and pistol these places contained. Then, in the early hours of the morning, Soapy distributed dozens of his men along the streets bounding the City Hall, with orders to enter the buildings and take positions in the second-story windows overlooking all the approaches to the Hall. The remainder of his men he took to the Hall itself. They had scarcely reached there when their weapons and ammunition arrived.

Smith, in person, directed the unloading of five hundred pounds of dynamite and many cases of rifles and revolvers, brought to the Hall in an express wagon. By this time the entire police force had assembled at the municipal building, together with a contingent from the fire department. These were stationed on the lower floors of the structure.

His own gang, Soapy took up into the tower. There, at vantage points, he stationed experienced

powder men, most of them former miners, to whom was entrusted the prospective task of hurling dynamite bombs upon the expected attackers. These men were ordered to delay hurling the explosives until the Hall was fired upon and then throw them into the midst of the besiegers. Others of the band were armed with rifles and placed at various points in the tower. Repeating rifle in hand, Soapy himself perched high above the others, whence he issued his orders. Then quiet descended, and all stood at their posts, watchfully waiting for the dawn.

In the early daylight the tramp of martial feet resounded on the Denver streets as three companies of the state national guard infantry and a battery of light artillery moved into position. They marched through the streets to Cherry Creek and prepared for the attack, only to find that the City Hall was packed from tower to basement with a host of defenders, armed with deadly weapons and prepared to fight it out.

Keeping in close touch with the movement of the soldiers, "Blood-to-the-Bridles" Waite, apparently ready to prove his right to the name, sat in his residence, guarded from threatened assassination by a squad of plainsmen. Apprised of the defense preparations, the truculent executive only snorted.



“Take the City Hall!” he commanded.

Artillerymen trained their pieces upon the main entrance from a point a block distant. Infantrymen attached bayonets to their loaded rifles. A battering-ram to smash doors inside the Hall was hauled up and placed behind the field gun, to be used when shells had shattered the entrance. Soapy’s dynamiters and sharpshooters quietly watched the proceedings from aloft. Every policeman awaited the command to shoot. A hundred unseen rifles were aimed at the heart of the innocent young gunner whose duty it would be to fire the first shell.

General Brooks, in command of the militia, was quickly aware of the strength of the defense and, having not the slightest desire for the unwarranted bloodshed which seemed in prospect, called for a parley with the commissioners. The latter consented but stood their ground, refusing to surrender, whereupon the general sent an urgent message to the governor.

“If a single shot is fired,” he stated, “they will kill me instantly, and they will kill you in fifteen minutes. But if you say fire, we’ll fire.”

There was no immediate reply. It appeared that Waite had been fully prepared to demolish the City Hall in order to prove his authority, provided the bloodshed was not extensive and his own safety was assured. But General Brooks’s message made

him hesitate. In the meantime word of the impending carnage had been sent to General McCook of the regular army, who assembled seven companies of infantry, with orders to suppress rioting and halt the killing, if it began, although Waite himself had refused to call out the federal troops.

Denver sat upon a volcano that morning. An ominous silence hovered over the scene, as the troops in position awaited the final word from the governor who had it within his power to launch a holocaust. The streets in the vicinity of the City Hall were entirely empty of citizens. They had fled at the first sign of the threatened warfare. With the exception of Soapy Smith's henchmen in the upper floors, the buildings along the streets were likewise vacated by human beings. That imposing battle array was entirely too business-like to warrant any ordinary civilian's lingering too near.

As time passed and still no word was received from the executive mansion, General Brooks declined to take upon himself the responsibility for senseless butchery and sent a final communication to the governor, again declaring that he would not order his men to open the attack without a personal order from the state executive. In the meantime a group of Denver's most prominent citizens had gathered swiftly and determined to take it

upon themselves to halt the attack, if possible. A committee was appointed to wait upon the governor immediately and went directly to Waite's home, where they found him raging about his room, denouncing his enemies in furious language, but still hesitating to issue the order for the attack. By the most determined efforts the committee finally succeeded in calming him and, upon their unanimous and vigorous insistence, he at last agreed to withhold his order to fire and allow the courts to settle the question at issue.

When this word emanated from the governor's mansion, a wave of relief swept the city, and the embattled occupants of the City Hall gave vent to thunderous cheers. The militia, gratified by the turn of events, marched back to the armory; Jeff Smith and his cohorts slipped down from the tower; dynamite was speedily removed from the building, and the guns taken from hardware and pawnshops were returned. The battle that was never fought had come to a bloodless end.

Waite found ordinary legal methods of procedure much more effective than his spectacular display of arms. The fighting commissioners with whom he had staged his warfare were ousted by order of court shortly thereafter, and a new administration was installed to carry out the governor's policies.

The police department was cleaned out from top to bottom. This was the most disturbing factor in the situation, so far as Soapy Smith and his brotherhood were concerned; but, for the immediate moment, their alarms proved groundless. An undertaker had been pressed into service as temporary police chief, and a squeaky-voiced farmer was made head of the detective force. As neither had the faintest inkling concerning the business of crime suppression and criminal chasing, little progress was made in the enforcement of law, and these early days of the reign of the Populist police department were attended by much turmoil.

The gamblers and confidence men took quick advantage of the situation which actually left Denver more wide open than ever. The sporting elements and bunco men thrived exceedingly and enjoyed an era of unprecedented prosperity.

## Chapter XVII

### SOAPY HITS THE TRAIL

THE gala season for the underworld proved short-lived. One by one the incompetents in the new police regime were removed and replaced by far more capable officials, all of them distinctly unfriendly to the criminal coterie. They made it their perpetual business to hound the evil elements in the city. Conditions gradually but steadily became more unpleasant for the sporting brotherhood.

Soapy Smith, acknowledged again as leader of the underworld, found himself spending much of his time attempting to keep his associates out of trouble and discovering that it was becoming increasingly difficult to do so. His former influence waned before this new administration, and he was encountering plenty of trouble himself. One night he was banished from the clerk's office at the police station at the point of a forty-five in the hands of Police Clerk E. T. Hickey, who took exception to Smith's uncomplimentary remarks concerning all the current officers of the law in Denver.

In his "work" on Seventeenth Street and at the Tivoli, he found the old official tolerance entirely gone. Permitted to operate without interference heretofore, he now found detectives and police continually prying into his business. He continued to operate as best he could, but the profits were becoming appreciably less. At first he concluded that the reform officials would either weaken in their stand or lose their control, but as the first year passed without a sign of relenting on the part of the police and the second year moved rapidly along, his dissatisfaction grew steadily.

Finding himself hampered on all sides by this continual police interference, he finally gave up. Always ready for any ordinary type of fight, a fight simply for the right to continue his business with all odds against him was not the type he relished. In the end, after a final, irritating encounter with the Populist law forces, he decided to abandon Denver once more. He disposed of the Tivoli and disbanded his followers as he prepared to depart, but his smoldering resentment demanded some sort of outlet. So, just before his departure, for probably the only occasion of his entire career he went berserk.

His brother Bascom accompanied him on the outbreak. First they visited the Arcade, where they encountered Johnny Hughes, a square gambler

and peaceful citizen. For no apparent reason other than the impulse to become violent, Bascom struck Hughes a vicious blow on the head, fracturing his skull. From the Arcade the brothers went on a hunt for the chief of police who had advocated running them both out of town, but their search was in vain, so they turned to other enjoyable pursuits. Crashing into the institutions, they put to flight the proprietors of half a dozen gambling houses where they had lost money. At the Chicken Coop players and dealers leaped through doors and windows to escape the now raging raiders, who emptied their revolvers into the walls and ceiling. As a final act they heaved an empty beer keg through the front window of the Casa Bianca saloon, a low dive then frequented by white-slavers, and challenged the occupants to come out into the street. Then, realizing that only speed would enable them to escape the consequences of their mad foray, the brothers separated.

Soapy was successful in disappearing before the police caught up with him, but Bascom came to grief. He was jailed, charged with murderous assault upon Hughes, and sentenced to serve a year in the county jail. Later Soapy was extremely apologetic for his conduct of the night which was so unlike him, and explained that he simply had "to blow off steam" and that the brand of liquor

served at the Arcade bar had urged him to violence.

When he fled the city to escape an insulted police department, Soapy had no particular destination in mind. He simply hopped the first train out of Denver. He was as broke as ever. He had sufficient cash to carry him on his way for a time, but the last months of his sojourn in Denver had not been too profitable. When he inquired into the matter, he found that the train on which he was riding was southward bound, which suited him as well as any other direction.

He stayed aboard until he reached Houston, Texas, back in a section of the country with which he was thoroughly familiar. Houston already was a thriving city, and he decided to try his luck there. Making his way to the leading hotel, he had scarcely inscribed his full name upon the register with his customary flourish when he was slapped on the back and given a cordial welcome by a friend and former pal, Colonel W. R. (Dick) Riddle, who invited him to an adjoining bar, where they renewed their pledge of comradeship.

In the midst of the conversation Smith learned that he had walked into the midst of a bitter feud. Colonel Riddle declared that he was the victim of discrimination on the part of local authorities who had denied him the privilege of conducting faro games in his house of chance. All rights to the faro



bank, it seemed, had been conferred exclusively upon J. O. Dalton, the colonel's chief rival. Since faro was the favorite game of cattlemen and cowboys, the greatest spenders in the gambling dens, the prohibition had worked havoc with the colonel's income, and he was in high dudgeon.

"Dalton is giving me the laugh," the colonel declared, bitterly. "Besides, he is saying things about me, and he'll have to take the consequences for that. There's got to be a showdown and mighty soon."

Smith suggested a peaceful conference with Dalton, but this the colonel rejected flatly, stating that the time had passed for such a move. When Jeff volunteered to act in the rôle of peacemaker and see Dalton himself, this suggestion was likewise vetoed as violating the colonel's sense of pride. In the end, the matter entirely unsettled, the friends parted. Overnight, the colonel's wrath mounted steadily until, on the following day, he started forth, determined for action which should appease his feelings. As he ventured down the street, his fury showing in his face, he announced freely to whomever he met that he was going to beard Dalton in his den. En route, he suddenly encountered Smith, a few doors from Dalton's place.

"Come along, Soapy," he exclaimed, "I'm going in."

Soapy instantly accepted the invitation, urging the colonel to make no hasty move. He saw that Riddle was fuming and hoped that he might be able to compose the feud before anything serious happened. He was at the colonel's heels when Riddle turned into Dalton's gambling hall. Too late to stop him, Soapy saw the colonel whip out his six-gun as he plunged through the door.

Word of the colonel's threats had been carried to Dalton, and the latter was watching the door when the colonel entered, gun in hand. Just inside stood Dalton, gun likewise drawn. Soapy never had a chance to interpolate a word of compromise. Seeing his rival's threat of violence, Dalton fired instantly, and the colonel, his gun still in his hand, lurched, dying, to the floor, drilled through the heart by Dalton's bullet.

At the shot, Soapy's hands went high above his head. This was a new type of situation for him. Here he was a stranger, with none of his henchmen to back him up. He had stepped into another man's quarrel, innocently, to be sure, and with the best of intentions, but he knew he was in imminent peril.

"And who in hell are you, stranger?"

As Dalton spoke, Soapy found himself looking into the muzzle of the gambler's gun, a forefinger resting ominously upon the trigger. Forthwith Soapy employed his gift of speech for self-preserva-

tion, explaining that his own purposes were entirely peaceful.

"For two cents I'd pop you off, too," said Dalton, still toying with the hammer of his gun. "Maybe this will teach you to keep your damned nose out of other people's business. Do you pack a gun?"

"Sure. Everybody does," answered Soapy.

"Take it away from him and throw him out," Dalton ordered one of his gang. In a second, Soapy was disarmed, and rough hands ejected him from the premises, Dalton shouting after him, "Hit the trail, you, and don't come back!"

Picking himself up out of the dust, Soapy concluded that it was healthful policy to accept the admonition. Houston had suddenly lost its charm for him. Within a few hours of the killing, which occurred on December 12, 1895, Soapy departed from the Texas city. He didn't wait for the verdict of the coroner's jury, which acquitted Dalton on the ground that he had slain in self-defense, but departed with more speed than dignity, determined to seek his fortune in a more salubrious clime where his initiative was likely to be more deeply appreciated.

For a time thereafter he was a lone wolf, out "on his own." He wandered from place to place in Texas, keeping himself comfortably alive with his

efforts until he found himself down in the Panhandle region. Here he heard much of Mexico and its grim old dictator-president, Diaz. What he heard of Diaz's administration intrigued him. Scarcely knowing why, he inquired extensively into the manner in which the Mexican government was conducted and maintained. Then, suddenly, the inspiration came to him.

The idea which he conceived was a fantastic one, utterly different from any that had ever fomented in his fertile brain before, but it was of a type which only he himself could have dreamed, much less attempted. In his new scheme he conceived the possibility of pleasing and satisfying everyone involved, and for himself he foresaw adventure, riches, and fame. Once outlined in his mind, he acted quickly and immediately packed his few trappings and hurried to El Paso. Soapy Smith was about to emerge from the valley and reach for the peak again.

## Chapter XVIII

### “COLONEL” SMITH INVADES MEXICO

IN THE hands of any less facile genius, the grandiloquent plan he now attempted would have been grotesque, but in the alert and intelligent care of Jefferson Randolph Smith it moved to swift fruition. The full name is used advisedly. From the moment he reached El Paso, “Soapy” Smith, as such, ceased to be. His scheme involved a personal invasion of Mexico and intimate contact with no less than His Excellency Don José de la Cruz Porfirio Díaz, President of the Republic of Mexico, himself. Such a venture could be made only if the invader were clothed in a dignity in which the sobriquet of a confidence man had no part.

Of all his many adventures this was the most bizarre. To undertake it, he shed all traces of his previous activities and assumed an entirely new personality. There is every reason to believe that, with the exception of the primary deception he felt it necessary to perpetrate, he was wholly sincere in his project and meant to carry it out to

the end, one of the rare occasions when his efforts bore a definite semblance of honesty.

His plan demanded that he be able to contact the Mexican dictator with the most convincing credentials, and these he set about securing without delay. From old acquaintances in El Paso, men of substance whose sponsorship carried weight, he obtained letters of introduction to the hardened old dictator who ruled Mexico with such an iron hand. Of more uncertain origin was another communication addressed to Diaz which described "Colonel" Jefferson Randolph Smith as an able military organizer, a doughty fighter, valiant commander, suppressor of insurrections and revolts—something of a martial genius, in fact, a mighty leader whose valor would add new glory to the traditions of any country fortunate enough to secure his services. To this glowing tribute—which, it is suspected, was dictated by the "colonel" himself—were subscribed the names of several widely known military men.

With these formidable documents in his possession, "Colonel" Smith crossed the border and made his way to Mexico City. Credentials in good order, the soldier of fortune marched up the Plaza Mayor to the National Palace, not in the least abashed by the President's Guard and the heavily mustached officers who commanded it. His letters

gained him ready admittance to the palace, and he was immediately ushered into the presence of grim old Don Porfirio.

At this time the Mexican dictator was sixty-five years old and had reached the peak of the ruthless cunning which was to keep him in office for sixteen years more. For the moment, he was faced with no serious problems of state. Through the years of his merciless rule he had suppressed all opposition. His army and the Rurales imposed and maintained order with a rule of steel throughout the nation. But there always lurked that danger of insurrection which was ever threatening. Up to the present, Don Porfirio had handled with complete efficiency many uprisings in the country which he himself described as "a great madhouse." He played one rebellious leader against the other so that he might maintain his rule and make all these underlings beholden to him. He had boasted that he could smash any opposition party in two hours, and with his own hands had sabered rebel chieftains who had refused to bow to his will.

In 1896, shortly before the arrival of Smith, he had cut his army from 30,000 to 20,000, in the interest of national economy and his own pocket. This was a proceeding he had already begun to regret, as reports reached his ears of conspiracies fomented by dismissed military leaders. But he

kept his own counsel on the matter. He never sought advice from his subordinates, but neither did he ever relax his watchfulness, knowing that the wolf pack of the many who hated him awaited only a sign of weakness to pounce upon him. No longer was he a gambler with destiny. Now he was, in the parlance of the young American who had come to see him, a "sure-thing" man. Midnight plots, hand-to-hand fighting, the swimming of rivers to escape foes no longer were included in his scheme of things. He had raised himself to supreme power, and his days were devoted to tightening and keeping his grip.

Therefore he was more than willing to listen to the black-bearded American "officer" who met his piercingly critical gaze so calmly. For Americans as a whole he had a wholesome respect. Americans had lined his pockets with millions, paid him for the most valuable concessions in his country. Too, he had long been impressed by the dash and vim, not to mention the extreme effectiveness, of the Texas Rangers, and the American style in both military and business affairs appealed to him.

"Colonel" Smith's letters of introduction were in the dictator's hands when the "colonel" came in.

"So you are a military man?" the president inquired, after the courtesy of greetings had been disposed of.



"Yes, your excellency."

"And you have something valuable to propose to me?"

"Yes, your excellency, if you will first permit me to congratulate you upon the efficiency of your own military organization, particularly your Guardas Rurales."

Now the Guardas Rurales were the apple of Don Porfirio's eye. A mobile and quick-striking force, the Rurales everywhere fought the devil of incipient revolt with annihilating blows. They preserved the peace at the price of innumerable hangings, shootings, and even the infliction of torture in the early days of their service, but they preserved it. Their measures were taken with the full approval of their overlord, and he was their terrestrial deity.

"Colonel" Smith had struck the right note. A smile of appreciation crossed the ruggedly severe features of the president, and he listened with grave attention as the adventurer unfolded his plan.

"The Rurales," said the pseudo-colonel, "are your greatest fighters and defenders. But there is room in your military establishment for another fighting arm, and it is my plan for this that I bring to you. This unit would be patterned after the French Foreign Legion, with some modifications, of course, to meet with your excellency's own ideas. The Mexican Foreign Legion! Your excellency, it

can be the greatest fighting body in the world, made up of the finest and most fearless warriors and riders to be found anywhere. They will be chosen only for the most hazardous undertakings at home or abroad and will always be at your service instantly to aid the Rurales in any part of Mexico.

"I can organize such a Legion for you in two or three months, sufficient in numbers to be placed in service. In six months I can double its size. And I can guarantee the quality of every man who will be a member. But you can make your own test. Let me lead the Legion against the Yaquis, those vermin who are a thorn in your side. We will wipe them out. Your excellency, the Mexican Foreign Legion will bring honor to your administration, glory to Mexico, and dismay to your enemies!"

"Where would you find such a body of fighters?" queried the president, obviously interested.

"In Texas, Colorado, Wyoming, Arizona," the "colonel" replied instantly. "I can gather an army of hardened, fast-shooting, and desperate men such as will astonish your excellency. True, many of them will be criminals and fugitives from justice, but they will have the fighting qualities we most desire, and I know well how to manage such men. We will enlist the best riders, the roughest cowboys, the best gunmen. We will ask no man about

his past. Let that be what it may. All we shall ask is loyalty to the death in the Legion."

Into the eyes of the crafty old president there crept a glow of appreciation. The scheme of the enterprising young gringo seemed plausible. And there *was* room for such an organization in his army. Given a body of men such as this American described, even though there were less than one thousand of them, and not only would the recently disbanded ten thousand not be missed but they could cope with any plots evolved by the dismissed leaders of the reduced army. The dictator recognized talent wherever he saw it. In "Colonel" Smith he sensed real genius of a sort, and he was willing to capitalize upon it. He asked for further details of the Legion plan and, after a lengthy discussion with Smith, he said, "I will take the matter under advisement. You shall hear from me tomorrow."

Elated by the impression he had made, Smith left the president to await the summons he felt certain would come. He was not disappointed. The next day he was back in the palace, and in the succeeding conference with Diaz he advanced such potent arguments for the commission to form the Mexican Foreign Legion that he won the day and the elderly president agreed. At once the "colonel" brought up the real point at issue, the financial outlay necessary to start the ball rolling.

He had calculated, he said, that 80,000 pesos would meet the cost.

"And if your excellency will turn over to me half of that sum at this time," he brazenly requested, "there will be no difficulty in prompt organization."

But Porfirio Diaz was no Seventeenth Street sucker. He halted his impulsive new military agent with a lift of his hand and a glance heavy with suspicion.

"You are asking too much," he said bluntly. "Am I to trust a stranger with 40,000 pesos, not knowing whether he will abscond? Do not take me for such a fool, my Colonel. Four, not forty, thousand pesos is a sum quite sufficient for your preliminary expenses, and I shall expect frequent reports from you by telegraph. Do not fail me and you will be satisfied. I place great confidence in you, and if your plan is successful there will be plenty of money for the Legion and, particularly, for its organizer."

For once, the magic of eloquence failed to send Smith vaulting over all obstacles. The offer of 4,000 pesos was a brutal blow to his immediate hopes. He attempted to convince the Mexican ruler that a vastly greater sum was necessary for the work he proposed to carry on immediately in organizing the Legion. The future income, when the

Legion was in service, he took for granted, but—4,000 pesos! It was scarcely more than chicken feed. But Diaz was adamant. His limit was 4,000 pesos—and it was with 4,000 pesos that “Colonel” Smith eventually walked out of the presidential sanctum and started back for the United States.

He went about his work in perfect seriousness. Arrived across the border, he continued on to the north, resolved to make his first effort for the Legion in the state he knew best—Colorado. He boldly returned to Denver and found the police inclined to overlook his deficiencies of the past, including his final splurge of violence, if he now conducted himself in a law-abiding manner.

He launched his enterprise in grand fashion. He made his mission known publicly and, armed with official documents signed by Diaz himself, he proved that his plan actually was backed by Mexico’s president. At first inclined to think that the entire idea was just another confidence scheme, his acquaintances in Denver now accorded him new respect. He kept his hands entirely clean of any form of customary bunco work and entered upon his recruiting campaign with unstinting effort. A recruiting office was opened on Larimer Street, and the applicants soon began to flock in. As the days passed, he added additional proof of the authenticity of his commission by displaying

the frequent telegrams he received, signed by Diaz himself and urging him to make haste in the business of recruiting and repeating his promises of financial support.

Smith placed great stress upon this last in his recruiting work. "Here's the chance of your lives, boys," he told scores of applicants. "We'll all make a killing. No man is barred from the Legion if he can handle a horse and can shoot straight. The tougher you are, the better we'll like you. There's loot and plenty of it in old Mexico. The word of my friend, President Diaz, is law down there, and we'll start the game holding four aces."

The flow of applicants increased. The "colonel" sent encouraging reports to his Mexican chief. He selected the hardiest of the volunteers who answered his call, and foresaw complete success for his plan in even less time than he had anticipated. Within a few weeks he had mustered an imposing nucleus for the Legion and was preparing these worthies for service with growing enthusiasm when, from a clear sky, a thunderbolt shattered all his hopes. It came in the form of a curt message from Diaz and, at one blow, destroyed the fast-growing Legion:

"I HAVE CHANGED MY MIND. YOUR COMMISSION IS CANCELED. THE PLAN IS REJECTED.

"DIAZ."

Completely dumfounded, the "colonel" was at a total loss, although he suspected the truth. In this, his one honest effort, his past had caught up with him. Shortly after his departure from the Mexican capital, he had been denounced as an impostor to the president. Unwilling at first to believe this, Diaz had staged an investigation which brought to light the American's record as a confidence man. One of Diaz's spies reported that Smith had never been a military man and that the false colonel had no intention of carrying out his part of the bargain; further, that he had boasted that he expected to make an easy mark of the elderly occupant of the dictator's seat below the border. While neither of these latter statements was true, there was no opportunity to disprove them, particularly as Smith could not explain away his assumption of the military title and the falsified document which proclaimed his martial virtues.

Bitter and disillusioned, he called the volunteers for the Legion together and announced that the deal was off. The whole debacle was a stunning blow to his pride, which was even more deeply wounded when word was sent to him that if he ever showed his black-whiskered face in Mexico again, he would find it confronting a firing squad. He took the warning at its face value and never set foot upon the soil of the southern republic again.

## Chapter XIX

### THE BATTLE OF THE SABOTS

DEPRESSION of spirit never overwhelmed Jeff Smith for long. He rebounded from the Mexican fiasco as buoyant as ever. A few days after he had closed his recruiting office and sent his roistering Legionaires on their way, he was back on his Seventeenth Street corner, "Soapy" Smith once more, although this interlude was to be brief.

One evening he and Joe Palmer were arrested on a charge of carrying concealed weapons. They were released on bail and, half an hour later, again showed up in public, this time carrying their six-guns in plain view at their belts. Taken into custody a second time, they loudly declaimed against their arrest, protesting that they could not be accused of having "concealed" weapons and demanding immediate release. Chief of Police Goulding, constantly harassed by the Denver bunco men, some of whom had gone so far as to threaten his life, lost patience and demanded that Soapy be put under bond of \$5,000 to keep the peace. Soapy protested vigorously, the argument



finally ending in a compromise whereby Soapy agreed to leave town again.

Hitting the lone trail once more, he headed east and stopped in St. Louis. Here, in hope of improving his immediate fortunes, he sought and found a faro layout in a river-front gambling house and promptly found himself in trouble. Luck was against him, and the dealer gathered in his chips with painful regularity, so much so that Soapy became disgruntled. In his irritation he made a slighting remark concerning the lookout, who responded with a comment extremely derogatory of Jeff's intelligence. Instant action followed.

With a leap, Soapy yanked the watcher from his perch, knocked over stacks of chips and chairs, and dislodged the dealer. Fearing gunplay, the players ran for safety. But Soapy was in the mood for physical exertion. He and the lookout battled wildly on the floor until the house guards intervened, separated them, and threw Soapy into the street, where he was nabbed by a policeman. At the station house, for some mysterious reason, never explained, he was booked as a pawnbroker, at which his indignation knew no bounds.

"Pawnbroker, hell!" he expostulated. "Me a pawnbroker! Put me down as a horse thief, a burglar, a highwayman—anything but a pawnbroker!"

The police sergeant suggested that rather than put him "down" as anything, he would be more pleased to put Soapy "out" of the city. Soapy agreed to take the hint, if released and, upon being discharged, left the city at once. With St. Louis off the list, he journeyed on down the Mississippi, planning to stop at New Orleans. Here his visit was even briefer than that at St. Louis. He had scarcely arrived in the Crescent City when a communication was presented him from the detective department informing him that the noted Southern hospitality did not include a welcome for him in New Orleans.

Discouraged by the utter lack of appreciation of his talents, he hit the trail for the home pastures of Denver, willing to risk official displeasure there. When he returned to the Colorado capital, he made it a point immediately to make peace with the police chief and was permitted to resume his normal soap-stand activities on Seventeenth Street, managing to keep his turbulent spirit under control for several months.

Then, yearning for variety in his existence, he became interested in the fight game. Prize-fighting had been carried on in somewhat crude fashion for a considerable period in Denver, but the matches held in the old Central Theater were repetitive and gory, slugging matches conducted

without regard for the Marquis of Queensberry and all his rules. Soapy decided to bring his creative spirit to bear upon the situation and develop something new and worth while in the fistic exhibitions.

"You fellows lack imagination," he told the promoters. "If you really want to build up a business and make it a success, why not put on something different? As it is, all your cards are the same, and every battle is just a duplicate of the others."

He was challenged to demonstrate his ideas and promptly set to work. Actually knowing nothing about the fight game, except as an occasional spectator, he found the going a bit difficult, but, having had a customary inspiration, he dug up a couple of second-rate battlers, explained his plan to them and, having gained their grumbling and unwilling assent, broadcast, by billboard and handbill, the following announcement:

## SABOT FIGHT

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BOXERS WILL BATTLE  
IN WOODEN SHOES

---

Oklahoma Sausage

*vs.*

Platteville Terror

---

*Ten Clattering Rounds*

The regular fight promoters and their close followers greeted the announcement with a storm of jeers and laughter, and the entire sporting fraternity indulged in amused gibes at the absurdity of the prospective *mêlée*—but they bought tickets. So did a vast number of other townsmen. Indeed, the old promoters wondered just how justifiable their laughter had been when a crowd which packed the theater from pit to rafters thronged in to see the battle. It was Soapy's turn to smile as he met them at the door.

In the meanwhile the novelty of the fight had aroused the sporting instincts of many, and the betting had been brisk. When the rumor passed about that the battlers intended to kick free from their wooden encumbrances early in the fight and mill it out in their stocking feet, Soapy promptly announced that one of the rules of the battle provided that if either fighter lost his unique footgear at any stage of the fight, he would automatically lose the decision.

After watching the fighters train, the wise money was placed on the Sausage. He was obviously much faster than his Platteville opponent, and he had a sweeping right uppercut which had won him considerable fame. As a result the Sausage entered the ring a decided favorite, and the odds were four to one, with few takers until a delegation of ranch-

ers arrived from Platteville and placed considerable sums in the hands of the stakeholders. But much of the Sausage money went begging until a few minutes before the bell, when, with the odds still at four to one, some of the more observing noted that a number of Soapy Smith's men came forward with bankrolls which they laid on the Terror to win, at those figures. The action created no little surprise, but before there was time to inquire as to the possible cause, the boxers clump-clumped into the ring and the battle began.

From the outset the Sausage looked vastly better than his opponent, but it was equally evident that he was having the utmost difficulty in keeping his feet in the unruly sabots, whereas the Terror was much surer of foot. In fact, though he was much slower than the Sausage, he seemed able to move about easily, almost gracefully, without fear of shedding his wooden shoes. But the first round passed amid much hilarity on the part of the crowd as the battlers hobbled about the ring, swinging on each other as best they could, neither inflicting any serious damage.

In the early part of the second round the Sausage continued to handle his gloves to his own distinct advantage from the standpoint of boxing, but his feet were giving him more trouble than ever. It was soon evident that the Sausage's irritation

was growing by the moment. Finally he began slashing out furiously, his face red with rage. In his apparent determination to end the fight quickly so he could kick off the maddening sabots, he lost his caution, and the climax came with startling abruptness. He rushed the Terror to the ropes, and then, seeing an opening for his mighty uppercut, he set himself and took a violent swing. He launched the blow with all his power, and had it landed, the Terror would have had no further interest in the proceedings. But the Platteville warrior ducked, and the Sausage's glove swished harmlessly past his head, while tragedy seized the Oklahoman for its own. As his right arm described a complete sweeping arc, the terrific force he had put into the swing gave him such momentum that it lifted him entirely out of his sabots.

Instantly Soapy Smith, who was acting as referee, raised the Terror's right hand and proclaimed him the winner. Roars of dissent, boos, and hisses burst from the crowd, and a considerable number of the spectators who had placed large sums on the Sausage started angrily for the ring. The Sausage himself was in a wild fury. The moment his gloves were yanked off, he picked up one of the offending sabots and started threateningly for the referee-promotor.

But Soapy's trusty henchmen, always at hand,

had leaped into the ring and, with drawn guns, protected their chief. Over the din, Soapy shouted that the result was entirely fair, that the rules of the fight had been announced well in advance and that, according to those rules, the Terror had won. This could not well be disputed, so after a measure of order was restored the gang and the Platteville ranchers collected their sizable winnings and the gang immediately vanished before the backers of the Sausage could delve into the truth and discover how neatly they had been framed.

When the disgruntled losers probed the situation, it was revealed that the Terror, according to the rules of the fight, entered the ring with an unbeatable advantage over the Sausage. He was a native of France and had worn no shoes but sabots for fifteen years before coming to America. It was also divulged that Smith's men were well aware of the Terror's past when they availed themselves of the betting odds—indeed, that the Terror's familiarity with sabots had been the fundamental reason for the staging of the fight, with the definite expectation that the one-sided betting odds would develop. The Sausage suffered another humiliating defeat the next day. The sporting editor of a Denver morning paper had poked fun at his antics the night before, and the bruised soul of the Oklahoman demanded satisfaction. He invaded the

newspaper office, with chastisement of the sporting editor as his purpose, but the editor was no puny midget himself. Moreover he had anticipated the Sausage's visit and was ready for him, with the result that the prize fighter found himself tumbled down a flight of stairs.

Shortly after the fight episode Smith received news which interested him exceedingly. Word came that Cripple Creek, another great gold-mining city still in the height of its glory, was wide open, and the information which he received made him vision possibilities of duplicating his Creede dictatorship there, if he moved quickly. In any event Denver was beginning to pall a bit, and he yearned for the excitement of the boom camps. So he called a few of the faithful to his banner, and the squad boarded the train for Cripple Creek.

But Soapy's informant had been slightly inaccurate. True, the gold town had been exceedingly wide open, but not in the Creede manner. At Cripple Creek the political organizations were in command of the situation, and the powers there, in search of a hard-boiled leader for the police department who could hold the disorderly elements in check, chose a dour-looking member of the sporting fraternity, known as Three-fingered Jim Marshall, for the job. They clothed him with



plenary authority to "throw the fear of God" into all foes of the existing administration.

Now enlisted on the side of law-enforcement—an unusual rôle for him—Marshall, who was a pessimist at heart, effected drastic and oppressive regulations. By his orders hundreds of men were rounded up, herded into corrals like cattle, driven into freight cars, and deported by armed guards. The moguls of the city congratulated Chief Marshall and enjoined him to be certain to include among the deportees all agitators who were advocating miners' strikes. Marshall developed his job into an extremely profitable one. With the "contributions" of gambling joints, saloons, and red-light houses and graft from numerous other sources adding to the illicit element of his income, he found himself holding down the best racket of his life.

There appeared to be no clouds on his horizon until word came to him that Soapy Smith was planning an invasion of the town. Fully aware of Smith's capabilities, Marshall immediately sensed the danger to his own position, so he took steps to prevent the consummation of any plan Smith might have in mind by nipping it in the bud. First he issued an edict prohibiting the adventurers from unpacking their baggage in Cripple Creek. So,

when the optimistic Smith and his crew detrained, a formidable squad of gunmen, headed by the chief in person, was there to meet them in a greeting strangely reminiscent of a Pocatello reception of six years before.

"Soapy, you and your gang git right back into that car," Marshall commanded, "and stay there until it pulls out again. We're gittin' along pretty well here without you, and we aim to stay that way. We don't need no help from you or your dirty outfit. We're onto your game. Line 'em up, boys, and frisk 'em."

Smith expostulated vehemently, dwelling upon the "injustice" of the proceedings and the "outrage perpetrated upon respectable and law-abiding American citizens." The speech made not the slightest impression upon the growling and determined chief of police. The entire armament of the Smith crew was confiscated, and the visitors were then cooped up in the passenger car for two hours until the train finally pulled out for the return trip to Denver while they hurled futile imprecations at Marshall and his minions.

Back on Seventeenth Street, Soapy resumed his normal practices, but soon another disturbing element entered into the situation when two clever and powerful rivals invaded the Denver bunco field in the persons of Lou and Sam Blonger. The broth-

ers Blonger were the most menacing type of confidence men, soft-voiced, quiet, quick-thinking, extremely intelligent, and unrestrainedly dangerous. Lou, suave and bland, was an organizer of considerable ability who always used the velvet hand rather than the mailed fist to attain his ends. Sam was a taciturn individual who never discussed his business or his plans with anyone except his brother and possessed a face extremely hard to read, particularly as his eyes always were hidden behind a pair of blue goggles.

When the Blongers opened headquarters in Denver, with Sam in official charge, Soapy Smith's indignation mounted swiftly at this encroachment in a field he had considered his own private property. His voluble protestations that he intended to "smoke them out" brought swift admonitions of caution from his friends who knew the Blongers. He was told that the brothers were not "green-horns" and that they had a powerful friend in Bat Masterson, who was now in Denver and had known them in Dodge City. But Soapy was never one to heed advice of this nature, and he set out, single-handed, for a conference with Sam Blonger which had no objective of peace. A policeman saw Smith enter the Blonger place and, sensing that trouble was ahead, hurried after him. He caught up with Soapy just as he was heading for the card room.

He stopped him at the door, argued with him vehemently and, after some parley, induced him to leave without carrying out his warlike plans, a timely intervention which undoubtedly saved Soapy's life. Shortly afterward it was revealed that Lou Blonger, gripping a double-barreled shotgun, had been crouching beneath the cigar counter, prepared to fire the moment Soapy opened the card-room door.

Soapy made no more open efforts to settle matters with the Blongers, but clashes between members of the rival gangs were frequent in the early days of the Blonger invasion. In time, a species of armed truce was established, but no friendship ever was wasted between the two camps.

As time passed, the Blongers developed into a pair of the most proficient con men in the country, their profits running into tens of thousands. They became the normal successors to Smith after the latter left Denver for the last time, which he did the following year. But, with the inevitable fatality which must dog the lawless, justice finally ensnared the brothers, and Lou, convicted of conspiracy to swindle and sentenced to a long term, died in the Canon City penitentiary. The Blonger gang was run to earth by J. Frank Norfleet, noted Nemesis of the bunco fraternity, who, having himself been swindled, spent years on the trail of revenge.

Late in 1896 a touch of grief came to the Smith gang when the debonair and handsome Jimmy Thornton, flashy gambler and hero of a hundred affairs in which he had been the irresistible Romeo, died the death of a dog. While at Ed Chase's Inter-Ocean gambling house in Denver he was shot and killed instantly by a half-crazed gambler who suddenly went berserk.

Shortly afterward came news that the surly "Fatty" Gray had also come to an untimely end, slain in a lowly saloon row in Murray, Utah. Intoxicated himself, Gray chose to quarrel with a harmless-appearing "bar fly," whose resentment took the form of a quick draw and a shot from the hip, which pierced Gray's heart.

As the turn of the year came and the early days of 1897 passed, Soapy became restless again. The only factor which held him in Denver was the failure which had attended his last two sorties into the outlands, from both of which he had returned empty-handed. His position in Denver was secure enough, but there was no doubt that the Blongers were making deep inroads into his field. And there was nothing he could do about it. He could not banish the Blongers as he had banished Rincon Kid Kelly years before, both because conditions in Denver had changed and because the Blongers were powerful.

Soapy was finding his leadership seriously disputed, and he didn't like it. He yearned for the old days at Creede, when his power had been supreme, but there seemed little possibility of a repetition of that adventure. The forces of law and order were becoming stronger, and no new gold and silver fields were being discovered anywhere in the United States. And then, one day, in the summer of 1897, came the thrilling news which electrified the world.

Gold had been discovered in Alaska!

And, once more, Soapy Smith heard the clarion call of opportunity.

## Chapter XX

### THE CALL OF THE KLONDIKE

“GOLD in the Klondike!”

From the steamer *Excelsior*, arriving at San Francisco on that summer day, the magic message was heralded. In the strong boxes of the ship was the first shipment of the precious metal to come out of the new gold fields—\$750,000 worth of dust and nuggets—and those aboard declared this was only a small part of the pannings already made. A few days later the steamer *Portland* docked at Seattle and unloaded a ton of Klondike gold. This tremendous shipment, following so swiftly on the heels of the first, was the inflammatory spark. Within a few hours, from every part of the world, untold thousands of adventurers took their first steps to enter into that wild stampede to the North which was to surpass any other gold rush in history.

From the time the first Argonauts dashed to Alaska in the late summer of 1897 through the spring of 1898, more than 75,000 fortune hunters passed through the rip-roaring settlement of Skagway and the near-by port of Dyce, the gateways

to the Klondike, en route to Dawson City, the hub of the gold fields themselves. Crowded to the gunwales, every northbound ship sailing from Seattle and San Francisco bore the hosts of those who dreamed of quick wealth, the vast majority of them venturing into a world of almost unbelievable hardship and privation of which they knew nothing. Worse, virtually none of them had the faintest conception of how to combat the difficulties which burst upon them, and many were doomed to have their golden visions end in bitter disillusionment, distress and, in many instances, death. But, to the eager gold seekers, pressing rashly into the land of promise, the star of hope shone brightly and optimism reigned.

Skagway and Dyea were rivals as the jumping-off places for the trail into the Klondike. From Skagway, the route led over White Pass to Lake Bennett and the mighty Yukon. That from Dyea extended over the dreaded Chilkoot Pass to Lake Linderman and then the Yukon. Between the two ports of entry, separated by only four miles of bleak coast, bitter competition existed during the early days of the rush, with Skagway eventually emerging as the favored gateway. It had the better landing facilities, and White Pass, while offering no child's play for the wayfarer, proved considerably less perilous and was easier to negotiate than Chilkoot.



As mining-boom towns, both Skagway and Dyea were unique in the history of such settlements in that, unlike other boom centers, they were at great distances from the gold fields themselves. But the gold areas were located in such desolate regions and were so difficult of access that, at the time of the rush, it was a virtual impossibility to establish there a center of any real importance which had contact with the outside world. Dawson City was the only large settlement in the Klondike itself and, of necessity, it never was much more than a supply base for the miners and had little of the character of most of the boom towns of history. With these conditions existing, the miners, going either to or from the distant gold fields, were forced to pass through Skagway and Dyea, a situation which made the great importance of these ports inevitable.

As a result the two United States ports grew with all the haltless rapidity which had marked their predecessors elsewhere. But not all of the tens of thousands of people who took part in the headlong invasion of Skagway were armed with picks and shovels. Mingled with the multitude of those who planned to dig for gold was an army of parasites who intended to fasten themselves upon the industrious. Fugitives from justice, glib-tongued confidence men, gamblers, hold-ups, belligerent

plug-uglies and toughs, thieves newly freed from prison and desperadoes whose hands were stained with blood—all joined the throng to snatch the gold from the honest hands which had brought it to light.

Dance-hall girls from the infamous Barbary Coast of San Francisco were there as entertainers, their men dealing cards, throwing dice, or spinning the roulette wheels. New saloons and hangouts sprang up daily, established in tents or any sort of crude structure at the outset. But here, as elsewhere, the hammer and saw of the carpenter were kept busy, day and night, and soon the city of tents became a city of frame buildings.

Greenhorns and tenderfeet, here known as "che-chawcos," the name applied to them by the Alaskan Indians, found patience a virtue when they reached Skagway. Most of them hastened to attempt the ascent of White Pass within a few hours after their arrival, and a few of those who arrived in the late summer managed to make the trek successfully. But those who came a little later, in the early fall, and disregarded the sage advice of old-timers who knew the perils of the frozen trails were less fortunate. Many men and animals perished miserably in the snow. In spite of all warnings, a seemingly endless procession of struggling humans and beasts risked the trail, drawn by the irresistible magnet

of the gold that lay beyond the mountains. Pack animals panted beneath too great burdens, while their masters and drivers staggered up the heart-breaking trail, until they were prostrated by complete exhaustion, that worst enemy of the traveler of the frozen wastes. Tripped by treacherous rocks and even by the bones of dead beasts of burden who had fallen before, many plunged to their death and the end of their dreams.

When the news of the gold strike reached Denver, Soapy Smith was immediately stirred with new ambition. The impossible had come to pass—a new gold boom with all that it implied for the wary intelligence which could take advantage of it. The tragedy in the situation, however, was that Soapy's fortunes, at this moment, were at their lowest ebb. He called his swashbucklers together and announced his intention of immediately following the gold seekers. How to do so was a problem, particularly as an inventory revealed that there was not enough ready cash in the crowd to make the trek possible. The situation looked desperate until George Wilder, the hoarder of the company, announced that he would sufficiently finance a select company to start it on its way.

In the end, Smith chose the "Reverend" Bowers, "Slim Jim" Foster, "Red" Gibbs—these two being comparative newcomers to the fold—Syd Dixon,

and, of course, Wilder himself. Wilder's funds in hand, the sextet packed up instantly and sped to San Francisco, the others of the clan promising to follow as soon as they had raised the fare.

From San Francisco they moved on to Seattle, where they stopped for a time for the purpose of replenishing their funds in their customary manner. Shortly after they arrived, however, they were advised that they had incurred the displeasure of the local confidence men, who found it difficult to compete with the methods of the master. The Denver six attempted to operate in the face of opposition, but, on October 1, 1897, Soapy was served a notice by the local talent to move along.

Johnny Maybell and Eddie Gaffer, strong-arm and trigger specialists, had been commissioned to carry the word to the invaders. Soapy was defiant and expressed himself plainly. The messengers, with dark hints of action to come, departed. That night, at the Horse Shoe Bar, the Seattle sharpers descended upon the Denver crowd in force. For ten minutes sanguinary battle raged in the saloon, in the course of which the Seattle gangsters were put to flight, despite their superiority of numbers, and Maybell was seriously wounded by a knife thrust.

Soapy considered the victory entirely a moral one, however, as he had no intention of usurping the privileges of the Seattle crowd and demanded

only the right to operate long enough to increase his stake. Actually his crew was anxious to be on its way. Winter was approaching, and Soapy knew enough of the Northern climate to realize that a vast number of the gold hunters would have to hibernate in the seaports and would be seeking the type of recreation which he and his men had to offer. So they lingered only a few more days in Seattle.

On the streets of the Washington city Soapy encountered Willis Loomis, former Leadville police chief, who has been met before in these pages, and attempted to persuade the former police officer to go North with him.

"I've got a great proposition," Soapy told him. "I'm going to Skagway and do the same thing I did at Creede. I'm going to be boss of that town. I know exactly how to go about it, and if you'll come along I'll make you chief of police. When you were the 'kid chief,' as we used to call you in Leadville, you kept order and you were always sober. You had nerve, too. That's the kind of man I want in Skagway. Besides, you can make a fortune up there."

Loomis, knowing Soapy of old, was immune from flattery.

"No, Soapy," he answered, "you couldn't drag me up there with a team of mules. And, furthermore, I can see your finish before you start. It's

going to be too tough for you, and if you want to live long you'll take my advice and stay away. Maybe you'll last for a while, but you haven't any judgment, and you'll come to a bad end with that gang of yours. Somebody's going to call your bluff. Mark my words."

Soapy was in no mood to heed warnings. His mind was set.

"Very well," he said, "you stay here, but Skagway for me. And it won't be long before you'll be reading about me in the newspapers."

Both were speaking with the tongues of prophets that day.

A few days later Smith and his lieutenants sailed for the North.

Smith led his lawless crew to Skagway with all the cocksure confidence which had marked his entire life, certain of the destiny which lay before him. In the days that followed, he forgot all the warnings of his old friend and, it seemed, with cause. For Soapy had launched upon the episode which was to mark the climax of his life, reaching the greatest heights of his career.

The situation into which he ventured was, literally, made to order for just such a twisted genius as his own. From the start the authorities at Skagway were wholly unprepared and totally lacking in mental, moral, and physical equipment

to handle the situation which burst upon them. Uncle Sam failed completely to take a leaf from the book of his Canadian brothers at Dawson City. At that focal point of the Klondike, the Northwest Mounted Police were in charge, a statement which scarcely needs amplification. Law and order prevailed rigidly in the Canadian town. Crooks who attempted to invade the Klondike were, for the most part, halted at the border and turned back. When they did reach Dawson City, they found conditions so unsatisfactory under the eagle eyes of the Mounties, and punishment so swift and severe when they stepped over the bounds, that they were only too eager to abandon the place and hark back to the kindly shelter of United States rule.

The United States had set up no machinery of law enforcement that carried weight in this outpost of the nation, with the result that lawlessness reigned supreme in Skagway. This failure of the government to impose law and order upon the gateway ports to the gold fields is a black mark against its record. The federal law prohibited traffic in liquor. The law was totally disregarded. Drinking places in Skagway multiplied until they numbered more than seventy, most of them with gaming tables and dance halls attached, where unbridled vice and crime were the rule. Strong-arm robberies, frequently punctuated with ruthless

murder, became daily incidents in the city and on the open trails, unpunished and unchecked. Confidence men operated without the slightest restraint. Every crook plied his craft unmolested.

Into this tumultuous state of affairs arrived Soapy Smith and his quintet of associates. The chief saw at once that the stage was set for the triumph of his life. He had only to take one glance about the untrammelled conditions of Skagway to realize that here was another and much greater Creede awaiting his guidance. And the prospects of wealth were enormous. The mountain passes were virtually closed by now, and practically every one of the thousands who continued to arrive with the gold fields as their objective found it necessary to prepare for the winter's stay at the port, all of them supplied with at least some cash from which they might be separated. In the meantime miners were continually returning from the gold areas, well laden with gold-dust fortunes, offering even greater possibilities to the bunco fraternity.

Immediately upon his arrival Soapy followed his Creede formula by starting his shell game, but the goddess of luck was with him and circumstances moved swiftly to aid his cause. A few days later the sensational chain of events of a single day gave Soapy his opportunity. In the morning he was a shell man. When night fell, he was lord of Skagway.



## Chapter XXI

### KING OF THE LAST FRONTIER

SOAPY SMITH made friends quickly, particularly in his own circle. Within twenty-four hours after his arrival in Skagway, he already was well and favorably known to dozens of the sporting element, a fact which made his coup possible. On the day of days he was peacefully sliding the walnut shells on his table for the benefit of the morning crowd on Skagway's Broadway when word came to him that a double murder had been committed near the Palace Theater and that lynching of the slayer was in prospect. Immediately Soapy abandoned his table and went into action at top speed. In a few minutes he had gathered a score of toughs, armed with Winchesters, and hastened to the scene of the killing. About one of the trees in the street near the theater he found a raging crowd from which the cries of "Lynch him!" and "Hang him!" were roared incessantly.

Crashing his way through with his followers, Smith reached the central figure of the situation, who was standing, pale-faced, under the tree,

several of the crowd holding him by the arms and legs while another advanced toward him with a looped rope. Smith recognized the prospective victim as John E. Fay, bartender in the saloon which adjoined the theater. He leaped forward and knocked down the man with the rope, while his followers brushed aside the men who held the bartender and then surrounded Fay. Wholly calm and unperturbed, Soapy faced the angry, threatening mob.

"Anybody who tries to put a rope around Fay's neck will get a bullet in his head!" he shouted. "Lynching doesn't go here. How do you know whether this man deserves hanging? You've all lost your heads. We'll let the law take its course. Fay is going to have a fair trial."

Shouts of approval arose from the more sober-minded of the mob, and as the crowd stood hesitant and uncertain, Soapy inquired quickly as to the circumstances of the case. The story was brief. Fay, threatened with arrest, had clashed with Deputy United States Marshal Rowan and Andy McGrath, the latter a customer in the saloon. In the altercation Fay suddenly pulled his gun and fired twice, killing both Rowan and McGrath instantly. A crowd had stormed the saloon immediately, and someone had run into a near-by hardware store and brought out a coil of rope. Fay was collared and dragged

out of the saloon to the tree, where he was told to say his prayers while the rope was being prepared for the hanging. He had just abandoned all hope when Soapy arrived. The latter now turned to the crowd again.

"Fay, here, says he had to shoot to defend his own life," he declared. "Let the court settle that question. There's no use in being hasty. Two men are dead already, and that's enough killing for one day. If you try to lynch Fay, I'll guarantee you that there'll be general slaughter, so take your choice."

The crowd fell back, leaving Fay surrounded by Smith's squad, which escorted him to jail. Fearing that unruly elements might make a second attempt to lynch him, the authorities at once sent the prisoner to Sitka on the steamship *Walcott*, for safe keeping until the time of his trial. In the interim he was guarded by the guns of Soapy Smith's volunteers.

The slaying of Rowan proved to be particularly tragic. He was slain at about ten o'clock in the morning. At one o'clock in the afternoon Mrs. Rowan became a mother. As soon as this became known, the public wrath blazed forth anew, this time directed against the man who had halted the lynching, but there was a revulsion of feeling when it was learned that, already, Smith was abroad with

a subscription paper on behalf of the widow and her babe. By nightfall he had raised more than seven hundred dollars for her and had won the acclaim not only of the element with which he associated, but the decent citizens as well. Soapy felt that it was the time to strike. Without further delay he boldly announced that he was in command of Skagway.

The lawless element admitted his dictatorship without argument. The respectable citizenry heard of his assumption of power with incredulity and resentment, but he quickly won favor in their eyes when he immediately continued his financial efforts on behalf of both Mrs. Rowan and Mrs. McGrath. Within three days he had raised \$1,500 in addition to the original seven hundred dollars, and this amount he turned over to the two widows.

At his trial, later, Fay was acquitted on the ground of self-defense.

After his initial seizure of authority over the underworld clans which were running rampant in Skagway, Soapy moved swiftly to consolidate his success. Taking another leaf from his Creede experience, he immediately joined forces with a man named John Clancy, a popular member of the sporting brotherhood. With Clancy as his partner, Smith opened a combination saloon and gambling hall, known as Jeff's Place, located on the site now occupied by the Bank of Alaska. He then estab-

lished his headquarters as Skagway dictator in a rear office of the establishment, where he installed a roll-top desk, mysteriously acquired from an unknown source.

From this office he issued his edicts to his own circle, which quickly discovered that he was prepared to enforce his rule and, thereafter, accepted his leadership without question. But the general populace, with its decent majority, was not so prone to accept his authority. Many of the better citizens viewed his activities with growing alarm and organized a Vigilance Committee of 101 members, under the direction of Major Strong, Captain J. M. Tanner, Sam Lovell, H. C. Brady, C. B. Beeson, Henry Shea, and W. L. Berbee. As its first act this committee proceeded to throw a bombshell into Soapy's camp by issuing the following public notice:

### WARNING!

A word to the wise should be sufficient. All confidence sharks, bunco men, sure-thing men, and all other objectionable characters are notified to leave Skagway and the White Pass.

Failure to comply with this warning will be followed by prompt action!

[Signed] COMMITTEE OF ONE HUNDRED AND ONE.

The notice came as a rude jolt to Soapy Smith and his henchmen. Here was a crisis which demanded instantaneous action. And quick action was what Soapy provided, his genius never flaring more brightly than in the counterstroke which he executed.

"We'll blow that outfit clear out of Skagway!" he declared. "This town needs a committee, all right, but not the kind they're getting up. We'll form a committee of our own, and it will be three times as big as theirs."

He made a swift survey of the situation. Many of the smaller merchants and supply-house operators were wavering and might enroll with the reformers at any time. They had refrained from any open opposition to Smith's dictatorship because of the large volume of business which the sporting fraternity gave them. Soapy needed them on his side, the one favorable condition being that they had not yet lined up with the law-abiding opposition. Hence Skagway was startled, a day or two later, to find the town completely circularized and posted with the following impressive notice:

### ANNOUNCEMENT!

The business interests of Skagway propose to put a stop to the lawless acts of many newcomers.

We hereby summon all good citizens to a meeting at which these matters will be discussed.

Come one, come all!

Immediate action will be taken for relief.

Let this be a warning to those chechawcos who are disgracing our city!

The meeting will be held at Sylvester Hall at 8 P. M. sharp.

[Signed] JEFFERSON R. SMITH, Chairman.

The notice issued, Soapy took no chances. He rounded up every liberal he could find and, literally, packed the meeting. The hall was filled to the doors when eight o'clock came and he arose to address as rough a crowd as ever assembled.

"Fellow citizens!" he cried. "We are here to form a real committee, not a half-baked, irresponsible committee such as the one we've been hearing about. We have the support of the business element of Skagway. We deplore present conditions here, which are not due to our own people but to the riffraff coming in from all parts of the world. We will protect our interests, even at the cost of our lives."

Thunderous applause from the gamblers, dive owners, saloon keepers, and thugs in the audience.

"We'll show them who is running this town," continued Chairman Smith. "We will never permit outsiders to get control. We are the pioneers, the people who blazed the way."

The foregone result was reached quickly. Soapy's stand was acclaimed loudly by other "business men" of the same ilk as himself. The meeting moved smoothly and harmoniously. The chairman was hailed as an illustrious leader and a godsend to the community and authorized to organize a committee which should be truly representative and properly control the city. And thus came into existence the Law and Order Committee of Three Hundred and Three, as lawless a body as was ever organized, with Jefferson R. Smith as the permanent chairman.

Next day the Battle of Announcements and Warnings came to an end when Chairman Smith issued the first proclamation of his new committee. The proclamation was posted conspicuously throughout Skagway. It was a trifle faulty in its grammar but, nevertheless, was heeded by all and sundry:

### PUBLIC WARNING!

The body of men styling themselves the Committee of One Hundred and One are hereby notified that any overt act com-



mitted by them will be met promptly by the law-abiding citizens of Skagway and each member and their property will be held responsible for any unlawful act on their part. The Law and Order Committee of Three Hundred and Three will see that justice is dealt out to its fullest extent and no Blackmailers or Vigilantes will be tolerated.

[Signed] LAW AND ORDER COMMITTEE OF THREE HUNDRED AND THREE.

The very brazenness of the bold, swift stroke added to its effectiveness. The Committee of One Hundred and One found itself in general disfavor, its every effort to become active looked upon with deep suspicion, and soon it ceased entirely in its attempts to function. Soapy Smith had won the day once more. He found more obstacles in his path in Skagway than he had at Creede, but he ruled his domain as rigidly as possible. The power of his own personality won him unique favor with the better elements of the community who found themselves looking askance at what he represented, but they ungrudgingly admitted they could find little fault with the man himself.

Then, without thought of personal advantage, he committed another of those extraordinary acts

which always proved so disarming to his instinctive foes on the side of real law and order. In many respects and, particularly, in individual incident, Smith's dictatorship of Skagway paralleled his rule at Creede, sometimes in an almost uncanny manner. Now another such incident occurred. Drawn to the city by what he felt to be its need, a minister of the Gospel came to Skagway, hoping to combat the town's lawlessness through the medium of a church which he hoped to found. At a bewildering encounter with Soapy Smith, the acknowledged chief of the forces of sin, the preacher was startled to discover that he had acquired an immediate ally.

"You want a church?" said Soapy. "Okay, it's yours. Just sit tight." He began making the rounds at once, going to shopkeepers, gamblers, saloon men, and keepers of bawdy houses, demanding contributions for the cause, and, as in Creede, he raised more than six hundred dollars, which he turned over to the minister.

Late that night the minister's tent was invaded by a thief who made off with the box containing the offering. In great dismay the parson reported his loss to Soapy, who listened to the tale of woe and asked to be excused for a few minutes. He went out and quickly returned, handing the preacher the missing box with the money intact.

"Here's the money," said Soapy. "I framed the whole thing. I knew you were an innocent and needed a lesson on being careful in a wild place like this, so I had one of my boys take the box away. Now go ahead and build your church, and when you need help, let me know. I'll back you."

The slightly dazed citizens of Skagway, less familiar with the eccentricities of the town's overlord than were the residents of Colorado, refused to credit the story of the church fund until it was attested by the preacher himself and the church was actually constructed. After that their antagonism toward the dictator was notably less marked.

And thus the illustrious Jefferson Randolph Smith, trusting to an apparently ever-watchful Fate and his own quick wits, became King of the Last Frontier, undisputed monarch of misrule at Skagway, spokesman for criminals, cheats, ruffians, and courtesans, brazen advocate of the underworld, the camp's foremost patriot—as he was shortly to prove—its leading philanthropist, and, in the grand manner, the financial pillar of the first church to rise in the bustling community.

## Chapter XXII

### SOAPY REIGNS SUPREME

WINTER closed in swiftly on Skagway and the Klondike, a winter never to be forgotten in those arctic outposts of the continent. As though jealously guarding the gold that lay in the frozen creeks and valleys of the interior, the elements flung out raging blizzards, howling winds of terrific velocity, tremendous snows, and abysmal temperatures to halt any presumptuous adventurer who dared invade the treasure area. Those who managed a belated scaling of the perilous passes found the sudden swoop of impenetrable weather locking them in the lake and river districts from which they were unable to advance to their destination or retreat to the civilized ports they had left. These unfortunates, of which there were many, spent a wretched existence, marooned for months in hastily constructed, icy shacks, from which a good many of them never emerged.

Compared to the number of late arrivals in the North, however, these foolhardy fortune chasers were few. The vast majority chose the wiser course

and remained on the seacoast to await the spring thaws before venturing into the gold fields.

During that rigorous period Skagway was the wildest spot on the continent. Swift action and confusion prevailed everywhere, and under the misrule of its daring dictator lawlessness reached unprecedented heights—or depths.

“When hell freezes over, it will be like Skagway,” was a not unjustifiable opinion voiced often that winter, and before the season was over Soapy received the publicity he had predicted for himself to Willis Loomis. A newspaper despatch, published throughout the United States and Canada, read as follows:

“SEATTLE, Feb. 25 [1898].—Officers of the steamer *Noyo* from Skagway today reported conditions of lawlessness at Skagway as beyond description. Soapy Smith and his gang are in full control. Law-abiding people do not dare say a word against them. Hold-ups, robberies, and shootings are a part of the daily routine. Eight dead bodies were picked up on White Pass on February 15.”

And, in a letter to a friend in Seattle, Dictator Soapy paid his respects to the federal authorities by saying:

“We have got them licked, and we mean to rule absolutely.”

This ineptitude of officialdom was painfully true. It would have required a regiment of United States troops to suppress the liquor traffic alone in Skagway, and there were no troops in the place. The War Department was represented by a few companies of infantry at Dyea, committed to a policy of non-interference in municipal affairs, no matter how serious the infraction of the law. So many robberies occurred that there was talk of martial law, but the military chiefs paid no heed to the demand, saying that Dyea troops were to be called only in the event of a riot. This attitude of the federal government, which remained unchanged throughout the first year of the gold rush, aroused severe criticism. Public opinion held that the least the government could do should be an effort to emulate the manner in which Canada was handling the situation over the border in the Klondike.

As boss of the underworld elements, Smith promulgated certain rules for them and claimed, in several instances, to have recovered and returned money taken in robberies. But invariably he protected the wrongdoer. His greatest difficulty lay in the fact that, in Skagway, the thugs and strong-arm men outnumbered the confidence gang ten to one. They loafed about the saloons, a cruel, merciless, and cowardly lot, on call for anything short

of murder and not excluding that, if opportunity was provided for a getaway.

In the miserable catalog of terrors and crimes of Skagway, the despicable work of these hoodlums stands as the worst of the outrages recorded. That form of outlawry was not condoned by Soapy Smith. On the contrary, he condemned it roundly, but, as the chosen head of the lawless, he never betrayed their confidence to the extent of turning the culprits over to justice. Kindly and compassionate, always, to the ill and unfortunate, the dictator at the same time found himself in the unenviable position of being obliged to extend help to criminals whose acts were a curse upon the community and extremely detestable to himself.

Newcomers to Skagway were in constant danger of assault and robbery even before they had a chance to brave the terrors of White Pass and the White Horse Rapids. Scoundrels who failed to find opportunity to pounce upon them in the city followed them into the mountains and assailed them on the trail, killing them at the slightest provocation, then hurried back to Skagway with their loot, to spend it in the riotous amusements which the town offered. Week by week the criminal population increased, not a few of them recruited from the chechawcos who had themselves been plundered and who now joined the outlaws and, armed with

clubs and guns, lay in ambush to waylay other unwary travelers.

Larcenies and hold-ups were condoned by officials whose duty it was to protect life and property. Patient and long-suffering, the decent populace looked on, doing nothing and saying little, although the seeds of revolt already were being implanted. For the time, the threats and bluster of the gangs had full effect, and the respectable citizens dared not oppose the outlaws lest their business suffer and their lives be forfeit.

Every conceivable form of nefarious practice was perpetrated without hindrance in Skagway that winter. As a matter of fact the very establishment of Skagway itself was perpetrated by criminal fraud. The townsite was the property of Captain William Moore, an ancient mariner who had sailed the world over and, in the early 'eighties, sought a quiet life ashore. He obtained possession of the townsite, homestead, and mill site of Skagway, his domain extending a half-mile along the beach and a mile inshore. Here, in a snug cabin, he lived peacefully for years until the gold rush came. Then, his shore line offering a much better landing place for steamers than the rocky coast at Dyey, he found his property suddenly overrun by the thousands of eager gold seekers.

While he protested bitterly against this trespass,



a rapacious gang, inspired by the vulpine sagacity of certain adventurous attorneys who were "brought up in the courts of law but not of justice," jumped his claim and incorporated the city of Skagway. While he raged helplessly, the townsite was cut up into 3,600 lots and sold, the gang graciously offering as a gift to the captain the lot on which his cabin stood. When he refused, his cabin was wrecked and looted of the many precious mementos he had acquired in distant ports of the world in his sailing days. The captain's immediate appeal to the courts was of little avail, and only after years of litigation was he finally awarded damages to the extent of 25 per cent. of the assessed valuation of the lots laid out upon his property.

One of the most consistently conducted grafts of gold-rush Skagway was the resale of lots. After the 3,600 lots of the townsite were disposed of, new developments were opened up in the surrounding territory. These were grabbed by miners and gold seekers who, unable to find accommodations in town, bought the lots and built crude cabins upon them for occupation until they were able to leave for the Klondike. The moment they left, jumpers squatted in the cabins and sold the lots to the first innocent stranger who would buy. When the rightful owners eventually returned from the gold fields, they invariably found that their property had been

sold and resold half a dozen times in their absence, and the current occupants resented any attempt on the part of the original purchaser to take possession. These piratical proceedings led to innumerable fights and much bloodshed, with many fatal results. When the property disputes were taken to court, justice was hobbled by the law's delay and the laxity of the authorities, with the result that the jumpers usually wore out the patience of their victims.

When a stranger laid his money on a Skagway bar in that hectic period, it was spent automatically. Barkeepers were averse to passing back any change for a bill or a gold piece, while silver put on the line was promptly tossed into the till, with no return of any part of it. Scales were present in every place of business to weigh gold dust poured from miners' pokes, and many were the errors made in the weighing, particularly in the saloons and gambling halls, but these "mistakes" were never to the benefit of the customer.

That vice was unrestrained goes without saying. Everything in the town was wide open. The thousands of marooned gold hunters demanded recreation, and the town's dictator and his cohorts saw that it was provided for them to the fullest degree.

Through all this parade of outlawry Soapy Smith rode high, his eminence undisputed. Jeff's Place was

the most popular resort of its kind in the community, and the flow of money and gold dust into the coffers was constant. Into his personal money bags was poured the stream of graft from countless underworld projects. That it poured out as rapidly as it entered was of small moment. More was certain to come tomorrow. Skagway was truly a greater Creede. Soapy had reached the high point of his life.

He had added several new members to his gang, the pick of the scalawags of the North, and the bunco practices were proving more lucrative than ever. Prominent among the newcomers was Old Man Tripp, alias Triplett, white-haired, garrulous, and utterly unprincipled old reprobate who, notwithstanding his declining years, was still capable of great evil. His was the rôle of the miner returned from the Klondike. Chechawcos eagerly sought his advice and made it simple for him to lead them gently to the resorts of the trimmers. The "Reverend" Bowers resumed his former impersonation of the pious, God-fearing helper and adviser as he steered the victims into Soapy's traps and helped to fleece them. George Wilder kept watch for the better class of prospects, strangers apt to possess considerable money. Slim Jim Foster's post was at the gangplank of steamships, where, by way of becoming acquainted, he helped chechawcos lug

their trappings ashore. Paid sharpers sat at the poker games, and in the background lurked sinister and furtive blackguards, adept in every form of crime, ready to pounce upon the stranger, to rob him by trickery if possible, by violence if other methods failed. Chief of the bouncers and bullies at Jeff's Place was the powerful "Yeah Mow" Hopkins, who had gained his sobriquet through his long association with Chinamen on the Pacific coast. "Yeah Mow" (wild cat) was the name of an annual feast of the Chinese for which Hopkins had a particular fondness. In Oakland, California, Hopkins's occupation had been that of bodyguard for Chinese merchants threatened in tong wars. The latest of such feuds having been concluded by peace treaty, he had been entrusted with the task of conducting a party of Chinamen to Skagway. After settling them in laundries and hop joints, he joined Soapy Smith's crowd.

In Skagway, Soapy Smith had no Colonel Stone on display, but as a substitute he had a much more sinister exhibit. This was an eagle which he had acquired shortly after attaining the dictatorship and had placed in a cage in the back yard of his saloon and gambling hall. All strangers who entered Jeff's Place were invited to "see the eagle." To accept the invitation was to court instant disaster. Many a Klondike miner, bereft of his poke, awak-

ened somewhere in Skagway's streets, to recall a struggle in front of the secluded cage of the sky pirate as the last of his recollections before unconsciousness overtook him.

The post of dictatorship of Skagway demanded Soapy's attention in many and varied types of activities. Apprised of a strike of stevedores on the waterfront, accompanied by brawling and threats, he went to the scene at once. After looking over the situation, he immediately cast his vote for the strikers.

"I'm with you, men," he declared. "Your demands are reasonable. Your cause is just. Make 'em come through. These owners are clearing fortunes by the sweat of your brows, and they're making slaves of you. Stick for better wages and, if they won't pay, let their ships lie at the wharves. If they were poverty-stricken, it would be an entirely different matter, but they're raking in barrels of dough."

The allegiance of Smith was an important factor in the strikers' favor. As the strike continued for days, the dictator personally represented them at meetings with the owners and set forth their claims in no mild language. With his usual quixotism, he felt it incumbent upon himself to see the strikers through every phase of their difficulties. To workers who went broke during the strike, he distributed

twenty-dollar gold pieces, at the same time urging them to stand firm. With the town dictator furnishing the strikers with both vocal and financial support, the owners eventually yielded to their demands and Soapy scored another victory.

In the meantime his Law and Order Committee of Three Hundred and Three settled down to business. To make some sort of showing and hoodwink the respectable townsmen, the committee mildly corrected some of the minor evils of the camp. But, in view of the fact that all the criminals in the city were affiliated with the committee, the Three Hundred and Three handled the outlaws with a gentle touch.

As a kindly shaft of light in a community darkened by crime shone the conduct of the dictator himself in handling the case of a missing girl, whose distraught father, a resident of Seattle, came to Skagway in search of his runaway daughter and asked Soapy for aid.

"She skipped out with a tinhorn," said the father, "and I've been told she's here, working in a dance hall and turning her money over to the man."

With characteristic promptness Smith investigated. He learned that the girl was only seventeen years old and had been induced by her companion to leave home under promise of marriage. No marriage had taken place, and the report that the

victim had been put into a dance hall by her paramour proved to be true.

"Bring them both in!" ordered Soapy.

Conducted by a pair of husky guards of the Three Hundred and Three, the pair was haled before the dictator in his office. The girl, hysterical and tearful, rushed to her father's arms and begged to be taken home, but the man, identified as an idler and wastrel, was defiant. He insisted that the girl had come with him willingly, and he recklessly added that it was nobody's business, to which Soapy took quick exception.

"There's no room in Skagway for creatures like you," he said. "There are a lot of hard characters here, but they are manly fellows compared to you. We have no sympathy for birds who live off the earnings of girls. What have you been doing for a living?"

"It's none of your damned business," the defendant retorted.

Soapy hesitated no longer. He turned to the guards and said, "Take this bum out in the yard and give him the works."

While Soapy made arrangements with the father to have the girl taken back to Seattle, cries of agony came from the yard. Ignoring them, the dictator hustled father and daughter down to the wharf and aboard a boat leaving for the States and returned

to his office in time to receive the abject apologies of the chastened, bedraggled, badly bruised, and thoroughly frightened young ruffian. Soapy eyed him coldly and curtly gave him instructions to leave town within an hour.

Throughout his Skagway reign, Smith continued his extravagant charity. He continued, with the utmost abandon, without thought of a future need, to squander all the money he received, a tremendous proportion of it going to the needy. Hundreds of poverty-stricken chechawcos and penniless prospectors were saved from starvation and given shelter through his kindness.

"He never turned down a hungry man," relates Harry Sage of San Diego, who was well acquainted with Soapy in Skagway. "He was a sharper, but he was as gullible as any of the suckers, particularly so when somebody told him a hard-luck story. He had an idea that it was up to him to help everybody and found he had a mighty big job on his hands. He even staked the dance-hall girls when they were broke, and he contributed heavily to the church he helped to start. Any down-and-outer who couldn't raise a nickel anywhere else went to Soapy and never failed to make a touch."

His extensive purchases of dog meat at the butchers' shops that winter revealed that Soapy did not confine his largesse to humans. Tidings



had gone abroad that canines to be used in hauling sleds over the passes were in great demand in Skagway and Dyea. While this was true, the information failed to state that only animals inured to the Northern cold and trained for sled work were of value. As a result, dog thieves circulated through California and shipped hundreds of the animals to ice-locked Alaska. The great majority of the shivering creatures which arrived were utterly useless for the work at hand and were abandoned to their fate, which in most cases was death by cold and starvation on the trails.

Dogs left in town were lucky if they found new masters, for food was expensive and none too plentiful. As the condition of the starving animals which roamed the streets, howling pitifully, became obtrusive, Soapy came to their rescue, lending every assistance to an "Adopt a Dog" movement which was promoted in Skagway with great success. The dictator set a good example himself by adopting six.

## Chapter XXIII

### WINTER SPORTS IN SKAGWAY

“WHOOPEE” well describes the spirit that prevailed in spectacular and clamorous Skagway in the winter of 1897-98. There were no motion pictures. That miracle of entertainment had already been invented by Thomas A. Edison, but it was still in its earliest stages of development. There were no radios, no automobiles, no theaters, virtually none of the means of diversion available in the present day. For entertainment the men sought the saloons, dance halls, gambling houses, and the red-light districts. But many, various, and uproarious were the amusements these sought to provide.

Any sort of novelty was greeted with three rousing cheers. The day the first piano arrived in Skagway, virtually the entire town turned out to celebrate the event. Unloaded at the dock, the piano was borne to its destination at Jimmy Ryan's Nugget saloon and dance hall in a truck which was followed by a huge crowd. Installed at the Nugget, English Harry Marston, a wastrel whose genius

for harmony had been recognized on vaudeville circuits in the States, was pressed into service to play it. As his fingers struck the keys for the opening numbers, the place was thronged with a hilarious mob, which grew steadily, eager to hear this first touch of real music in the wilds. Marston had a variegated repertoire which enabled him to suit every taste, and he was kept at the keyboard until the effects of frequent potations, provided by his enthusiastic admirers, sent him rolling under a bench, stupefied.

His place was taken promptly by another musicianly dipsomaniac who likewise played until he was completely befuddled. From the moment it arrived, the piano was kept going continuously for twenty-four hours, with the players working in relays. At the end of that time the instrument had paid for itself by the tremendous trade it drew to the house. The success of Ryan's piano, however, was short-lived. In the days that followed, pianos of all makes were delivered in Skagway as fast as ships arrived. The thumpers everywhere enjoyed a period of great prosperity. Besides free drinks and high salaries, they collected sizable tips from woozy patrons, the dance-hall girls always encouraging their partners to "remember the professor." If the "professor" also possessed a passable singing voice, it was all the better for him.

In time the best of the "professors" were always to be found in the ornate house of the statuesque, dazzlingly beautiful, gem-bedecked amazon, "Diamond Lil" Davenport. Diamond Lil, a queen of the Chicago underworld, was on the Skagway scene early in the gold rush and established her own particular type of business with tremendous success. She herself was the chief center of attraction. Nearly six feet tall, she commanded general admiration for her beauty and her imposing collection of jewels, most of which she wore constantly. In her house, she aimed to surpass all others in the entertainment she offered. In addition to the best pianist the camp boasted, she also engaged several excellent singers who rendered the popular ditties of the day for her patrons—"Swanee River," "Climbin' up de Golden Stairs," "Little Annie Rooney," "There'll Be a Hot Time in the Old Town Tonight"—later to be a Spanish-American War favorite—and other songs of equal popularity.

When Diamond Lil left Skagway, she took with her a fortune gleaned from the Alaskan camp. Upon her return to Chicago she chose one "Big Joe" Hopkins as her paramour, whose rival for her affections was a city detective. The sleuth finally disposed of Hopkins by shooting him. When Diamond Lil's beauty faded, she found a cold welcome in the world. Her friends deserted her, the diamonds

went to the pawn shop, and she finally sank to the lowly employment of scrubwoman in a Seattle bank, in which work she was engaged when she died in 1928, thirty years after her sweeping success in Alaska.

Dictator Smith supplied some amusement himself. A month or two after he had established himself in power at Skagway, his old pugilistic friend, the Platteville Terror, appeared and, there being plenty of fighting talent in camp, Soapy grasped the opportunity to provide the populace with some of his own brand of fistic recreation. He arranged a match between the Terror and the Kilkenny Wildcat, prize fighter and bartender. The Cat, as he was familiarly known, had acquired quite a reputation as a battler in Seattle, where he had shown both speed and power in the ring. He had one fatal failing, however—a violent temper—which vented itself in a peculiarly passionate hatred of everything Scotch, particularly the music of the Highland bagpipes.

An immense crowd attended the fight and, as the rounds advanced, the Cat chalked up a decided point advantage over the Terror, on whom Soapy loyally had staked a considerable sum. But, in the midst of the battle, the crowd, to say nothing of the Cat, was suddenly startled to hear a wholly unexpected skirl of bagpipes from somewhere in

the audience. The sound sent the Cat into a frenzy. As he turned his head to right and left, looking with murder in his eyes for the piper, he continued swinging at the Terror, wildly—and carelessly. So intent was he upon glaring his venom at the offending piper that he neglected to give his full attention to the task at hand and left his guard wide open. The Terror was slow, but not that slow. He set himself, swung, and caught the Cat on the point of the chin, and the fight ended then and there. The bunco men mildly denied insinuations that they had engaged the Highlander for a serenade at the crucial moment of the battle, but they pocketed large profits from the transaction.

Many queer and eccentric characters invaded Skagway that winter. There was the diminutive colored man whose sole stock in trade was a mouth that extended from ear to ear. This astounding spread of jaw he had exhibited at Huber's Museum in New York and elsewhere at dime museums. He could and would simultaneously stuff three billiard balls or a large number of china eggs into his gaping maw. He sported a cane with a knob the size of a young cantaloupe and, without difficulty, would close his lips over it. By his impromptu performances this queer Negro collected enough money to live comfortably. The population of Skagway was

eager for diversion of any kind, and he provided a bit.

Old-timers still remember the blind Italian accordionist, a former miner who, in his younger days, had lost his sight in a mine blast at Salt Lake City, and whose entrancing renditions of classical and popular selections were one of the features of Skagway's entertainment offerings and brought him showers of money every time he played on the streets.

There, too, was the burly, heavily bearded Russian who, somewhere along the route from Siberia to Skagway, had acquired a bear, taller than himself, which he had trained to execute an amazing dance. With this muzzled quadruped, whom his master called Alexis, the Russian would ramble about the Skagway streets, having the bear perform whenever he could assemble a crowd. The pair played Skagway until they wore out their welcome and then struck off for Dyea. When last seen in Alaska, they were ascending Chilkoot Pass, the bear playing the part of a beast of burden as he pulled the Russian and his packs over the mountain.

Then there was the undersized Neapolitan who brought to Skagway hundreds of deflated toy balloons on the strange theory that the hard-boiled

miners of Skagway would like to buy them. Curiously enough, he was right. He was able to sell all his balloons at high prices and cleared enough money to enable him to go into the gold fields, from which he later returned with a poke of gold dust of gratifying weight.

Of an entirely different type was Peter the Apostle, for whom Soapy Smith had the greatest respect. Peter had been the barefoot apostle of San Joaquin valley in California for many years, but he was well shod to withstand the rigors of the North when he came to Skagway. He came in his customary rôle, not as a gold seeker, but to administer to the sick in mind and body and to pray for sinners. Sturdy of physique and inured to hardship, he patrolled White Pass, where he saved many lives, giving physical aid as well as spiritual consolation to exhausted wayfarers. His mission ended when the railway was opened over White Pass, and he returned to his California valleys.

Sometimes the unusual characters proved troublesome. One of these was a loud-voiced temperance lecturer from Portland, Oregon, who harangued against drink in language unfit to print. In his exhortations, frequently voiced at the very doors of saloons, he uttered lurid blasphemies as he denounced the curse of liquor, applying vile epithets upon all who drank and all who dared to



criticize him. He seemed to exert little effort toward actually curing the conditions he condemned, apparently feeling that his purpose was served by blistering excoriation.

"To hell with all you damned, dirty sots!" was one of his milder volleys, to which he added that, if he had the authority, he would use infantry to mow down all drinkers and liquor dealers and artillery to demolish saloons, distilleries, and breweries. Ever an advocate of free speech, Dictator Smith was stumped when he encountered the ravings of this wild-eyed fanatic. But the raging prohibitionist dug his own pit when he became so obstreperous that he caused several small riots and gave Smith the chance to banish him. Still screaming curses in all directions, he was tossed aboard a ship and sent to Seattle at the dictator's expense.

In all the license of that unrestrained period in Skagway, Soapy Smith had plenty of trouble keeping the lawless spirits in check even to a limited degree, although they depended upon him for protection when trouble loomed. The bunco men, for example, did not always adhere to the rule excluding permanent residents from their attentions. An instance was the fleecing of a young chief of the Skagway Fire Department at a card game. Smith returned the cash to the loser and de-

nounced his men for violating the generally understood admonition.

Calamities also played their part in that winter. An epidemic of cerebro-spinal meningitis broke out in Skagway, the malady striking down dozens of victims who died within a few hours, before the disease was finally checked.

Flames consumed the fine, new steamship *Whitelaw* on the city's tidelands. The vessel, loaded with horses and hay, was about to be unloaded at the wharf when fire broke out. To save the dock structure, the ship was moved out to open water, and the blaze might have been extinguished with little damage to the vessel but for the mutiny of the crew. They rushed upon Captain Thomas Lockyear, brandishing revolvers and knives, and compelled him to run the steamer ashore, where it was reduced to twisted steel by the flames, its entire cargo completely destroyed.

Welcome Inn, at Skagway, caught fire from a lighted cigar, and five men were burned to death. The fire followed a prize fight at the place, during which Jack Carr broke the arm of his opponent Billy Cooper. The inn was crowded to the doors when fire broke out, and the fatalities resulted from the panic-stricken stampede which resulted.

The problem of food was always a pressing one, and prices were high, but this situation was never

so serious at Skagway as at Dawson, far in the interior, where famine threatened several times during the winter. The price of a square meal there was exorbitant, as evidenced by the following bill of fare, posted at the Olympia restaurant:

Caribou Steak .....	\$3.50
Moose Steak .....	3.50
Mutton Chops .....	2.50
Hamburger Steak .....	2.50
Waffles .....	2.00
Mush and Milk .....	2.00
Stewed Corn .....	1.50
Hot Cakes .....	1.25
Sardines .....	1.25
Baked Beans .....	1.25
Plate of Soup .....	1.00
Pie .....	.75
Coffee, Tea, or Beef Tea .....	.75

Merchants at Dawson sold flour at \$25 per hundred pounds. Butter was \$8 for a two-pound can. Canned vegetables were \$2 per quart. Chewing tobacco cost \$8 a pound. The appearance of scurvy caused an unprecedented demand for lemons, which sold at retail for 75 cents each. The ordinary ten-cent cigar sold for 50 cents. Rooms in so-called hotels were rented at \$10 per night. Those wishing

to indulge in champagne might do so at \$30 a bottle. Men paid a dollar a dance at the dance halls.

The Canadian government had wisely enforced a rule which required every newcomer crossing into Yukon territory to bring with him one year's supplies or eleven hundred pounds of foodstuffs and other goods. But for this edict, thousands of gold hunters would have perished.

Conditions in Skagway were far better than those at Dawson from the standpoint of food and shelter by reason of the port's accessibility to the civilized regions farther south, but even the Skagway of Soapy Smith's rule demanded outrageous prices for virtually every type of service or accommodation.

## Chapter XXIV

### SOAPY GOES PATRIOTIC

THE sinking of the battleship *Maine* in Havana Harbor in February caused a momentary sensation in Skagway when the news reached that distant post, but it was temporarily lost sight of almost immediately. The seemingly endless winter was drawing to a close. In a few weeks the spring thaws came, and a new hustle and bustle pervaded the community. Soon the passes would be open, and the thousands of gold seekers who had been marooned in Skagway during the winter strained at the leash to be on their way to the Klondike.

With the first intimation of spring, a tremendous new influx of fortune hunters began, destined to develop into a stampede even greater than that of the preceding summer and fall. Shipping concerns employed every type of craft, old and new, to convey all sorts of men and goods to the Alaskan ports, the vessels which landed at Skagway including many rare old derelicts which had been laid up in distant mud flats for years.

Of the multitudes of men who left their homes

during the winter and spring to join the Alaskan gold rush, it is estimated that 35,000 reached Dawson in 1898 after the breaking of the ice in the Yukon. Eight steamers discharged 2,500 cheechawcos at Skagway in three days. In another period of seven days, more than 5,000 landed there. Livestock aboard the steamer *Alice Blanchard* from San Francisco included 52 dogs which brought as much as \$300 apiece.

There was sufficient reason for the frenzy that filled the minds of all the adventurers. As the winter weather abated, there came back over the mountains, on the return from the Klondike, gold-laden stragglers who had fought their way through great snowdrifts and sleet-bearing winds in their determination to return to civilization as quickly as possible. As the days passed and the weather improved, these steadily increased in number, each bearing inflammatory tales of the treasure still lying behind them. Numerous stories of fabulous finds in the golden creeks only served to increase the madness of the incoming prospector.

Charles E. Baldwin came over the trail, reporting he had pounded out \$35,000 in gold dust in his mortar by hand. Richard Thompson, twenty-two years of age, a cousin of Tod Sloan, the jockey, arrived, displaying \$64,000 in gold dust and said he had been offered \$110,000 for his claim. Eight men

from Dawson brought \$175,000 and took the steamer *Hueneme* for Seattle, announcing their plan to return in the summer. A. J. Neville and E. M. Canary came with ninety pounds of gold dust from Bonanza Creek, the reward for five months' work.

Charles Henderson, a husky laborer from South Dakota, arrived at Skagway with the strangest story of all. He had reached Dawson with \$800 in in his pocket. He fell into the company of sharpers who had evaded the iron hand of the Mounties. They had made him drunk and sold him a deed to a supposedly worthless claim on El Dorado Creek. He awoke next day with a raging headache and not a dollar in his possession. He begged money with which to buy food and, there being nothing else to do, he began to work his claim. To his own joyous amazement he struck tremendous quantities of gold. He refused \$400,000 for his claim, holding out for three quarters of a million. The sharpers made desperate efforts to recover the property, but the deed in Henderson's possession was valid and duly recorded, and they could not regain the precious ground which they had tossed away for the sum of \$800.

Every steamer leaving Skagway that spring carried its quota of passengers who had struck it rich in the Klondike, as well as huge quantities of

gold in the ships' strong boxes. Many argosies sailed into Seattle, San Francisco, and other ports, bearing bullion and dust. The steamship *Corona* berthed at Port Townsend, Washington, with \$1,200,000 worth of the precious metal. Other millions were delivered by other ships. One of the larger of these, the *Humboldt*, known as the "treasure ship," carried no less than \$100,000,000 in gold dust and bullion out of Alaska in the years which followed the beginning of the Klondike rush. The skeptics who had predicted the bursting of the boom opened their eyes and joined the stampede.

Skagway had its own private sensation when, by accident, gold was discovered in the streets of the city and there followed the curious sight of hardy pioneers delving madly in the public thoroughfares with pick and shovel. Several hundred dollars' worth of gold was panned out before the pocket was exhausted, and further search revealed that this seemed to be the extent of Skagway's gold deposits. But the supply houses profited greatly from the sudden spurt in the sale of pans and shovels which the discovery had caused.

In April occurred the disastrous slide on Chilkoot Pass. Millions of tons of snow, loosened by a chinook wind which had been blowing for two days, descended in a terrific avalanche, engulfing hundreds of men and animals. The death toll of human



beings totaled nearly two hundred but, though Death stalked the trail, the flood of pioneers continued unabated.

But relief from the dangers of the mountain passes was in sight. In May laborers began the task of constructing a railroad from Skagway to the Klondike region, destined to eliminate the use of both the Chilkoot and White Pass trails to the interior. Its completion not only made the path to the gold fields immeasurably easier but greatly facilitated the shipment of gold and, at the same time, eliminated the crimes of violence which had marked the pack-mule trail from the earliest days of the rush.

In Skagway life moved on at high speed. Joseph T. Cornforth, prominent Denver merchant, who visited Skagway that spring, wrote to a friend, Irwin Mahon, also of Denver, saying in part:

"And whom do you suppose I ran across before I had been in Skagway two hours? None other than our well-known, suave townsman, Soapy Smith. He has reached the height of his career and is ruler of this great camp. He has mobilized a crowd of outlaws, the like of which is not to be found in continental United States nor anywhere else, for that matter.

"Anything short of murder goes here and, if it's murder, they call it suicide. Soapy had the nerve

to start a church. But he defends all criminals. What his game is is a mystery to me, but there is bound to be an end to it. His accounts at the merchants' stores for provisions and fuel for the needy people here amount to several hundred dollars a week. He pays for the funerals of friendless persons, and I can assure you that that is no small item. What are you going to make out of a character like that?"

It was a question which never has been answered successfully or satisfactorily, and Smith was shortly to display another side of his nature which left those about him more bewildered than ever. The occasion for this new development arose on April 24, 1898, when war was declared between Spain and the United States, at a time when Soapy Smith's power in Skagway was supreme. News of the declaration of war sent a surge of patriotism through the dictator that demanded active and worthy expression. His violent antagonism for all things Spanish may well have had its roots in his experience with President Diaz of Mexico, whose death threat toward his erstwhile Foreign Legion commissioner had not improved Soapy's sentiments. Hence the patriotism of the Skagway dictator was indisputably sincere.

When news of the mobilization of troops for the war came to the Alaskan outpost, Smith at once

convened the Three Hundred and Three in special session. Imbued with a burning zeal for his native land, he delivered a fiery patriotic speech which inspired the entire committee to uproarious enthusiasm, and it was decided unanimously that Skagway should not go unrepresented in the nation's armed forces.

Next day Soapy issued a call for volunteers for service in Skagway's own military unit, and for days thereafter his office was crowded with applicants, most of them disappointed chechawcos who saw in his appeal the chance to shake Skagway's dust from their feet and obtain a free ride back to the United States at the government's expense. As soon as the roster of the company was complete, Soapy launched them upon a period of intensive drill and proudly named the unit the Skagway Guards.

His pride in his achievement was tremendous, and he sent word to Secretary of War Russell A. Alger at Washington, D. C., that his company was ready and that the Skagway Guards would move against Spain as soon as transportation could be arranged. Secretary Alger replied at once, personally thanking Smith for his patriotic action. At the same time, however, he stated that it would be both impossible and impractical to put the Guards into active service immediately. Deeply disap-

pointed, but fully appreciative of the difficulties attendant upon sending the Skagway troops to the far-off war, Soapy was not put out by this immediate refusal of service for his hastily assembled soldiers, and he kept them drilling constantly and with unabated enthusiasm, to be ready at instant notice, should the country call for them.

While the Guards were in process of organization, Edward F. Cahill, widely known San Francisco newspaperman, went to Skagway and the Klondike to report actual conditions there during the spring of 1898. Accounts of affairs at the port of entry had created the impression throughout the country that the town was ruled by a band of bloodthirsty ruffians of which their chief, Soapy Smith, was the most bloodthirsty and the most ruffianly. It was to learn the truth that Cahill undertook the journey.

When he debarked at Skagway, he was immediately taken in hand by Smith and escorted to the resorts where he saw boom-camp life in the raw. In his subsequent stories Cahill stated that the lawlessness reports were greatly exaggerated. Soapy had convinced him that, as dictator, he was doing a praiseworthy job. Impressed by the manner and conversation of the boss of Skagway, Cahill wrote:

“The famous Soapy Smith is not a dangerous man. He is not a desperado. He is not a scoundrel.

He is not a criminal. He will fight to a very good purpose if he must, but he is not in the least quarrelsome.

"Cool in the face of danger, absolutely fearless, honorable in the discharge of those obligations which he recognizes, generous with his money and ever ready with a helping hand for a man or woman in distress, he bitterly resents the imputation that he is a thief and a vagrant."

One of Cahill's most amusing stories was the report of a meeting of volunteers for the Skagway Guards which he attended at Soapy's behest. The rookies who filed into the session were armed with a curious assortment of deadly weapons. Cheers greeted Soapy Smith as he stepped upon a chair to speak, and warlike yells interrupted his rousing appeal to the patriots. At this time Smith was inspired with concern for the safety of the American coasts and stressed the necessity of guarding them to the death against supposedly projected plans of the Spanish fleet to raid cities and shipping.

"Spain will send her battleships to seize our ports," he cried, "and they will try to capture our ships. But, be damned to them and we'll stake our lives against their plots. They will first attack the Eastern coast. We must help there and then double back to keep them off the Pacific coast. Do you realize our country's danger?"

The rookies gave a mighty yell:

“They’ll never land!”

“Here’s my gun—I’ll send that if they won’t take me!” exclaimed a newcomer, and he laid his Colt on the table, swearing a thumping oath upon it to stand ready to sacrifice his life, if need be, to protect his home land. The scene was described in the following verses, by Cahill:

### SKAGWAY GUNS!

\* \* \* \*

*Whereat he loosened from his belt and laid upon  
the bar*

*The weapon which for several men had set the gates  
ajar;*

*An’ Soapy Smith, the card sharp, drew an ivory-  
handled beaut’,*

*An’ put it on the counter, an’ the crowd all followed  
suit.*

*The muzzle of the daisy that took off the marshal’s  
ear*

*Laid right beside the weapon which had punctured  
Rhino Pierre;*

*An’ near by was the gentle, inoffensive little thing,  
That had wafted Bunco Charlie to the place where  
angels sing.*

*Then Soapy Smith, the card sharp, standin' near  
 'em on a chair,  
 Observed, "When Spain gets to the Coast, she'll  
 find a welcome there!  
 We'll box these guns and ship 'em by the first boat  
 on the run  
 To President McKinley, who resides in Washing-  
 ton!*

*"An' in the hist'ry books we'll read the Nation's  
 proudest boast,  
 How Skagway men sent Skagway guns to save the  
 Eastern coast;  
 It bein' the one town where men made sacrifice  
 sublime,  
 Because their country couldn't build the coast de-  
 fense in time."*

History does not record whether the shipment of miscellaneous firearms was actually made, though it is doubtful, but there was no questioning the zeal of the volunteers.

So sincere was Smith himself in his patriotic fervor that he was both mortified and infuriated when, in his commendable design to come to the rescue of the United States, he was double-crossed in an infamous manner. This was accomplished by a gang of false patriots who went about enroll-

ing men for military service, taking them into the back room of a saloon for physical examination. While a scoundrelly fake "medico" put the stripped candidates through stunts to test their health, deft fingers of his accomplices searched the pockets of the volunteers' discarded garments and removed all cash and valuables.

This dastardly work was reported to Soapy, who wrathfully ordered the perpetrators rounded up and haled before him. Caught red-handed, they were brought to the dictator's office and there attempted to laugh off their performance as a practical joke, stating that they intended to return the loot. The excuse was not accepted. Soapy compelled them to disgorge their ill-gotten booty on the spot and return it to the rightful owners, after which they were forced to apologize to their victims and accept an unpleasant tongue-lashing from Smith which contained a warning that any repetition of the deed would result in immediate banishment from Skagway.



## Chapter XXV

### THE HOUR OF TRIUMPH

DESPITE the failure of the national government to call the Skagway Guards to the colors, Soapy's patriotic zeal mounted rather than diminished as the weeks passed, and it reached its highest pitch as the Fourth of July approached. With his nation at war, this was the supreme day to celebrate the glory of that nation of whose farthest-flung outpost he was monarch. What more fitting than that he should now rise to the peak of patriotic exaltation by staging the greatest Independence Day celebration anyone in this newly awakened region had ever known?

Perhaps, too, he wished to make some effort to mollify the growing discontent of the respectable townsfolk of Skagway and present himself in a more favorable light than that of chief of underworld marauders and thus render his own position more secure. Perhaps there was within him a discontent that, with all his innate decency and kindness, he should yet be an outcast because of his blind loyalty to his fellows, whether or not they deserved that loyalty.

That the decent citizenry of Skagway were smoldering rebelliously there was no doubt. Outlawry, despite the benevolence of its leader, had ruled too long. Soapy found himself more roundly condemned every time he exerted his power to keep dastardly criminals out of the serious trouble of their own making. Murmurs of Vigilante threats were heard constantly. The continued depredations of the criminal element, particularly the crimes of violence which continued unabated, were rousing the populace toward grim action. Soapy sensed this, and he exerted his every effort to suppress the actions of the thugs who were so bountiful in the city. But this leering, cursing, bullying mob could foresee no danger to themselves. Secretly they were rather contemptuous of the dictator's gentility of conduct but dared not express themselves openly, both because they feared his power and because they constantly needed his protection and begged for it instantly when they felt retribution overtaking them. So they went blindly on, and Soapy, unable, owing to his position, to escape or avoid being stained with the same grime, was swept along with them. He could not shout his real feelings to the world. It was strange that the man who was blessed with an almost magical gift of words felt himself compelled to remain inarticulate in the most crucial situation of his career and

felt himself bound to the men who would have had no hesitation in tossing him aside instantly and soon were to prove it.

He felt himself able to use only indirect methods of handling the increasingly tense situation. So he went ahead with his plans for Skagway's greatest holiday celebration. Among the law-abiding there was considerable hesitation on the question of participating in the day's plans when he announced them, but he worked assiduously to overcome their prejudices. He went to the leading citizens directly, making a personal appeal for co-operation.

"We want to make this a real success," he said earnestly, "not for me or for anybody but because of the day it is. We must forget our differences and all show our loyalty. If all the best people of Skagway refuse to join in, the Fourth will be a complete failure. Our country is at war. This is the time to unite and show our patriotism. Besides, think of the kids. This ought to be the greatest day ever for them. We're making special arrangements to see that they all have a good time, and you wouldn't want to disappoint them, would you?"

His evident sincerity was convincing, and he clinched matters when he induced no less than Governor Brady of the Alaskan territory to come and deliver the Independence Day address. After

he was able to announce this important fact, the success of the celebration was assured, and the entire populace of Skagway fell into line.

As a matter of course Soapy was chosen as grand marshal of the day, and thereafter the preparations moved forward rapidly. The dictator had vast quantities of firecrackers, rockets, colored lights, blank cartridges, squibs, flags, and miles of bunting imported from Seattle. He planned an elaborate program. In the late forenoon there was to be a grand parade, to be followed by the patriotic exercises at which the governor was to speak, with a great display of fireworks in the evening. He had a platform built in the open for the patriotic exercises, as no hall in the city was large enough to accommodate the crowd certain to attend.

Soapy overlooked no detail. The parade was to be a brilliant affair, with a brass band to play patriotic music and the Skagway Guards to march in all their glory. Every business and fraternal organization was persuaded to turn out en masse, many of them being induced to prepare patriotic floats. For the patriotic exercises he arranged for special numbers by the school children of the city and various civic organizations. As viewed in retrospect, the entire day's affairs constituted a masterly demonstration of showmanship.

When the great day dawned, it was to witness a

Skagway transformed. The crude wooden buildings were half hidden beneath oceans of bunting and flags. The main street was a blaze of national colors, one glimpse being sufficient to inspire the most recalcitrant with the festive mood. At the first peep of daylight, the celebration began with the crack of explosives, in large and small quantities, resounding throughout the city. Six-guns and rifles were fired hilariously and often by honest men and thugs alike. Children yelped shrilly as they set off quantities of firecrackers.

As the hour of the parade approached, carriages and buggies, supplied by the grand marshal at his own expense, scattered far and wide through the town to bring mothers, wives, and daughters to the line of march, where they might view the parade. Each of the fair sex found herself the recipient of an attractive bouquet. Youngsters were liberally supplied with new quantities of firecrackers, candy, and peanuts.

The street was lined with thousands of spectators when, suddenly, thunderous explosions echoed through the streets, reverberating through the adjacent canyons and mountains. These were caused by quantities of dynamite touched off under heavy anvils, located at key points, so scattered that they filled the city with a deafening volume of sound as the signal for the festivities to begin.

As the echoes of the blasting roars died away, the strains of a band blaring out martial music were heard far down the street. The next moment a dashing dapple gray pranced into view, on his back the resplendent figure of the grand marshal, wearing a new, snow-white sombrero, which he doffed smilingly to right and left as he passed up the street through the applauding crowd. Just behind him came the Skagway police, next the band, followed by the Skagway Guards, marching with military precision, to pause now and again to fire volleys from their rifles and shotguns. After them came bodies of citizens, flag-bedecked floats, hundreds of marchers, each carrying explosive, noise-making devices of his own, so that the din was incessant as the procession moved majestically forward.

And so Soapy Smith, monarch of misrule and gentleman extraordinary, rode to his triumph.

As the last marcher passed, the crowd swinging in closely behind, the entire populace moved toward the scene of the patriotic exercises, flocking about the platform on which sat Governor Brady reviewing the patriotic pageant. The parade disbanded, Grand Marshal Soapy mounted the platform beside the governor, and the program moved swiftly along as the enthusiasm of the crowd mounted until the governor stepped forward to be

greeted by a wild ovation. It was the proudest moment of Soapy Smith's life when, as the exercises closed, someone in the crowd proposed three cheers for the grand marshal and they were given with a hearty good will.

Congratulations poured upon him from all sides. It was his day of days. Never had his kingship been so complete or so universally recognized. He was the man of the hour. Even the governor had clasped his hand and praised him for the success of the day. As the light waned into evening, the sky began to blaze with the fireworks he had provided. Hilarity and good feeling reigned throughout the city. Far into the night the celebration continued, and when, at last, the dictator and grand marshal sank to sleep, it was with a feeling of contentment and satisfaction such as he had never experienced before.

It may have been that, in his brief hour of triumph, he longed for the opportunity to change his ways. It had been good to receive the unstinted acclaim of the good people of Skagway, and he knew that only by casting his lot with them and abandoning his lawless associates could he ever continue to receive that acclaim. But it was too late, and he knew it. There was no turning back from the road he had taken or deserting his desperate followers without suffering the type of disgrace

he could not endure. They had raised the pirate flag and elected him as chieftain. Abdication was out of the question. And even now the black clouds were gathering swiftly over him for the storm which was to burst upon him with the full, blasting fury of its violence even before the echoes of his triumphal hour had died away.



## Chapter XXVI

### THE DAY OF REVOLT

FOR three days Soapy Smith was to have the opportunity to enjoy the repeated congratulations of the community for his successful celebration of Independence Day. But, on the fourth day, early in the morning of July 8th, there arrived in Skagway, from the Klondike, J. D. Stewart, a canny Scot, homeward bound to Nanaimo, British Columbia. In his rough-tanned, moosehide poke was \$2,700 worth of gold dust, his clean-up after months of back-breaking toil with pick, shovel, rocker, and pan. He had been less successful than many other gold seekers, and his entry into Skagway was so insignificant in itself that no one, least of all himself, had the remotest inkling that he was to be the tool of Fate in closing the most uproarious chapter in the history of the last frontier.

Ever on the watch for just such strangers as Stewart—for business was as usual again among Smith's men—the bunco men marked him as their prey. It was Bowers who threw the net and caught him. Stewart had been traveling alone and was

trail-weary. He rented a room and, after a brief rest, started out, poke in hand, to search for some establishment where he might change the gold for greenbacks, less cumbersome to carry. It was then that the bewhiskered Bowers picked him and easily led him into talking about the gold fields. Stewart permitted Bowers to lift the poke and accepted the steerer's invitation to drop in at Jeff's Place and "see the eagle." On the way Stewart suggested that they stop at a mercantile house and ask permission to leave his poke for safe keeping, later to obtain currency for it, but Bowers protested earnestly.

"Don't think of such a thing," he exclaimed. "These merchants charge you a commission for changing gold, and they take a big rake-off. I can save you that expense. I know a man who'll change it for you without charging a cent for the job."

So Stewart, clutching his treasure which he planned to spend in the construction of a new home at Nanaimo, trudged along with the confidence sharper. They stopped at Jeff's Place and lined up at the bar, where the gang, seeing a new sucker, insisted on buying drinks, designed to render their victim helpless. Bowers passed the word that his lucky friend had discovered a rich mine and was bringing back a sack of gold as proof. In his pride of possession the miner gave all his

new-found friends the privilege of lifting and judging the value of his small fortune.

Bowers announced that his acquaintance, the money changer, would arrive soon and suggested that they "see the eagle" in the meantime. Stewart had had many predecessors on eagle-inspecting tours of the back yard, but he was destined to be the last. Two or three thugs strolled into the yard after Bowers and Stewart and resumed their friendly overtures toward the stranger. After a brief look at the stony-eyed bird, Stewart became suspicious of the too cordial attitude of the group which crowded so closely about him, and he announced that it was necessary for him to leave.

More drinks were proposed, but the miner declined with thanks and started for the door of the saloon. As he stepped forward, his arms were suddenly pinned to his side by the huskiest of the gang, his poke was taken away from him, and then the thieves fled, leaving Stewart and the eagle alone in the yard. Dismayed by the disaster which had overtaken him, he hurried inside and reported his loss to the bartender, who assured him that he was simply the butt of a practical joke.

"Why, no one has ever been robbed in this place," the bartender assured him. "No such thing could happen here. This is the safest saloon in Skagway. The boys were just having a little

fun with you. They'll bring back your poke and set up the drinks."

Stewart waited in vain. Realizing at last that his gold was in the hands of robbers, he went to the town marshal and told his story. In detailing the events of that day, the *Alaskan*, Skagway's newspaper, stated that the marshal paid little attention to Stewart's complaint, though promising to work on the case.

"Instead of going after the hold-ups," the newspaper said, "the marshal, half an hour later, was superintending carpenter work he was having done on his new home."

Now overwhelmed by his loss, Stewart told his troubles to a number of citizens, who greeted the story with righteous indignation. Word of the hold-up reached the leaders of the respectable element who had taken part in the formation of the Committee of One Hundred and One, and the storm of revolt, long threatening, suddenly burst. This latest outrage had been committed in the broad daylight of morning in a public place. It was the boldest and most reckless of a long series of similar crimes. Crooks were blasting the name of Skagway, which was abounding in iniquity and ruled by desperadoes. Life was hazardous enough for sourdoughs and chechawcos alike without the additional peril of assault and death in the wide-

open dives. The Stewart affair was the last straw. The people of Skagway decided that the time had come to put a stop to the endless procession of crime.

A summons for immediate action was circulated among the merchants who, for the sake of self-preservation, had maintained a neutral attitude, and among the respectable working people. Groups of resolute men began gathering upon the streets, and the wave of denunciation of the gangs gained swift momentum.

"We've had enough of this," declared Frank H. Reid, city engineer, addressing a restive crowd. "Soapy Smith and his crowd must go. They've gone their limit. Now is the time to settle this situation once and for all. Skagway has become a by-word for lawlessness, and now we know that no honest man is safe here, day or night."

Other officials were not so certain that the task of cleaning house could be accomplished readily, but they indicated that they would fall in line when the movement began. In all parts of Skagway the murmurings of discontent flamed into open rebellion. An air of sinister portent pervaded the city. Trouble was in the air. By the dozens, men left their work and places of business as the revolt gathered force. Men who were preparing their packs for the journey over the pass, on honest

mining bent, halted their activities and joined the rebellious groups.

Before noon the Committee of One Hundred and One had been revived, suddenly and mysteriously, and a group of its members gathered on Broadway. Some advised ringing the town fire bell and calling an immediate indignation meeting. Others counseled less hasty proceedings, fearing the extent of possible reprisals by the lawless element should an attack be made upon them. But the temper of the crowd was rising steadily. Decent citizens declared that the authorities had failed to provide protection—that they dozed while criminals strode, unchallenged and unafraid, through the streets of the city and that the time had come for direct action, without waiting for the slothful officials. Cooler heads finally suggested a compromise which was agreed upon. As the first move, Soapy Smith would be called upon to see that the stolen gold dust was returned. A committee of citizens immediately went to Jeff's Place to interview the dictator.

"Give the man back his gold," its members urged. "You've always been decent about these things. This was a plain case of hold-up. The marshal won't help him. Stewart didn't have anything like this coming to him. We come as a committee to ask you to do the right thing."

Throughout that day the conduct of Soapy Smith was curiously unlike his normal manner and wholly inexplicable. He moved as though driven blindly by an impulse peculiarly foreign to his nature. Now he protested immediately.

"I'm told that he lost his gold in a fair-and-square game," he told the committee. "In that game my boys stood as much chance to lose as to win. Why do you front for him? If he had won, you never would have heard a word about it. He's a squealer. That's the whole story. What can I do about it?"

"You're the boss of the crowd," the committee's spokesman retorted emphatically. "If you say the word, the sucker will get back his poke. What do you say? Yes or no?"

Soapy sparred for time. He evaded a direct reply to the demands of the committee and told his callers to return at four o'clock in the afternoon, promising that, in the meantime, he would "see what could be done." The committee trooped out of the dictator's office but, as the hours passed, the street gatherings and the expressions of resentment continued to become more violent, particularly when a rumor was circulated that the robbers were arming to resist any concerted move against them. By now the ordinary activities of the day had been suspended almost completely.

The entire populace had but one thought—to settle the existing situation—and the streets were filled with irate citizens, many of whom had fortified their courage by liberal potations and now were openly shouting denunciations of the hold-ups.

Incendiary shouts, punctuated with violent oaths, resounded through the streets, demanding that summary punishment be meted out to the entire underworld fraternity, and it became evident that only a spark was needed to ignite the blaze and transform the angry citizenry into a rioting mob.

Fearing developments which momentarily threatened to get out of hand, the officials of Skagway sent a hasty message to United States Judge Sehlbrede at Dyey, urging him to come at once. The judge, who was held in high esteem throughout his district, hurried to Skagway and summoned a number of leading citizens into conference, where the situation was unfolded to him.

“Things have come to a desperate pass,” said the jurist, “when an innocent stranger cannot walk down the street without being stopped and robbed of all his possessions by a crowd of criminals in the full light of day and in a supposedly civilized community. The lawbreakers here are organized, and they have repeatedly resisted the efforts of



decent people to put the town in order. Now the question seems to be whether law shall be enforced or the criminals be permitted to rule. There is one man in Skagway who ought to be able to give us the answer to that. Bring in Soapy Smith!"

Notified of the summons, Soapy went willingly. "Certainly I'll see the judge," he said. "He's my friend. He will give me a hearing, and that's all I want." Sustained by his unequalled self-assurance, he walked into the meeting place.

"I don't know what all this row is about," he said, "or why you should call me here. Am I responsible for everything that happens in this town?"

It was a mistaken line of attack. The apparent effort at evasion not only surprised his auditors but it greatly weakened his position in the matter.

"You know very well what has taken place," Judge Sehlbrede said sharply. "A man was robbed of his poke in your saloon. He was lured there by one of your gang. The gold must be restored to him. Even if you were not there when the robbery occurred, you are responsible, and the least you can do is to give the gold back to the victim."

In a tight corner, Soapy resorted to the bravado which had carried him through many narrow places and gained him his unenviable prestige in the crooked fraternity. He repeated his declaration that

the gold had been lost by Stewart at a gaming table. The judge flushed with impatience at the statement.

"You cannot afford to defend thieves!" he exclaimed. The outspoken accusation failed to move the bunco chief.

"Your honor," he replied, "you are saying that my friends are thieves. That is not true. But since you declare that they are, count me in with the 'thieves.' I'll stay with them."

The judge arose. "There will be no further argument," he said curtly. "We will give you a chance—one chance. If that gold is not turned back today to its rightful owner, I will issue warrants and bring in your gang—alive, if possible, but dead, if necessary!"

Smith was startled. This was the strongest threat ever hurled directly at his head. The voice of an authority greater than his own was commanding him for the first time since he had come to the North, and he recognized its strength.

"I'll tell you what I'll do, your honor," he temporized. "I'll make this proposition: If they arrest the man who is accused of grabbing the poke, I'll see that the gold is handed back to Stewart, provided you will allow me to name the men who will guard the prisoner against mob violence."

In this back-to-the-wall plea was seen an admis-

sion that Smith well knew the case to be one of outright robbery, and the judge's refusal was swift.

"There will be no compromise," he asserted. "You will have to be satisfied with our ruling. Now get busy!"

## Chapter XXVII

### THE MOMENT OF DOOM

FOUR o'clock—the zero hour—struck.

Skeptical of real results through the underworld dictator, leaders of the townsfolk had been organizing their efforts quietly and effectively. The dependable police officials had been summoned to hold themselves in readiness. To augment their forces, Judge Sehlbrede swore in Captain J. M. Tanner as deputy United States marshal. As the crucial hour arrived, Broadway was crowded with a muttering throng, and all eyes were turned toward Jeff's Place. Then, a few seconds after the hour, the door of the saloon opened and Soapy Smith emerged—alone. And in his hands was no gold poke, but a high-powered rifle. With this weapon held loosely in his hands, he faced the crowd. His first words were as defiant as they were startling.

“If you fellows have anything to say about me or my friends, you can say it now!” he shouted. “We're ready for you. Five hundred armed men behind me will stop you!”

Nobody called his bluff or attempted to halt him when, after gazing boldly at the mob for a few moments, he shouldered his rifle, swung on his heel, and walked down the street. At the nearest saloon he stopped for a bracer. Standing at the end of the bar he saw one of his henchmen, plainly frightened by the turn of affairs.

"What's the matter, young fellow?" Soapy demanded. "Getting cold feet?"

The man at the bar mumbled an indistinguishable answer.

"What in hell ails you?" Soapy queried, half angrily. "It isn't necessary to look at me out of the corners of your eyes and talk from the side of your mouth. You'll never win anything that way. You're scared to death, and you show it. Better duck out of town before the real fun begins. You're not the kind that will back me up. I'm tired of fronting for people who beat around the bush. I'm the goat. If it wasn't for me, there would have been a clean-up in this town months ago. This may be the finish, but I'm going to face it, whatever happens."

He tossed down his drink, shouldered his rifle once more, and returned to the street. Single-handed, Soapy Smith waved the robbers' banner of defiance through Skagway streets that afternoon and evening. Too late he learned how tragi-

cally he had misplaced his loyalty to his criminal confrères. With his first shouted defiance to the crowd, the outlaws had gone scurrying to cover, leaving him alone as their advocate to vault the day's hurdles. A few of his personal lieutenants pledged their support, but he told them he was confident he could handle the situation effectively without their assistance. His boast of five hundred armed followers was a pitiful fiction.

"I've seen things like this before," he told his own faithful few. "You fellows stay in the background and let me do the talking. I'll call you when I need help."

News of Soapy's lone and defiant patrol of Broadway and his challenge to the people swept the city. The old Vigilantes primed their guns needlessly for warfare, ignorant of the cowardly desertion of the vast majority of the outlaws, and quietly sent messengers about the city to summon all who could safely be trusted to meet that night at Sylvester Hall, where Soapy himself had taken the reins of power over the community at the time of his organization of the infamous Law and Order Committee of Three Hundred and Three.

"The purpose of this meeting," read the call, "is to complete the work that the Committee of One Hundred and One started some time ago. This time there will be no nonsense, but we must

stick together. We will run the crooks out of town."

The hall was filled to overflowing fifteen minutes before the hour set for the gathering. Not only the One Hundred and One but a vast number of others, including not a few of the Three Hundred and Three, were in attendance. J. T. Hayne, printer, announced the purpose of the meeting, and Thomas Whitten, of the Golden North hotel, was elected chairman, but just as the assembly was preparing to proceed to business a member of the audience interrupted.

"I move that we adjourn to Juneau Wharf," he said. "In looking around the crowd I see certain men who, by reason of their records in this town, shouldn't be here. We'd better talk things over where there will be no chance for eavesdropping. Juneau Wharf is the place."

The motion carried unanimously.

"No known crooks will be admitted to the wharf," announced Chairman Whitten, "and I will appoint a committee of four reliable citizens to stand guard at the approach."

Thereupon, he named City Engineer Reid, Captain Tanner, Jesse Murphy, and John Landers. With this quartet bringing up the rear, the Vigilantes filed to the new meeting place. Suspicious or unknown men who joined the march were

turned back by the rear guard. Grim, determined citizens followed the chairman to the outer end of the pier. Others, notified of what was taking place, hurried from their homes and shops to participate in the deliberations, passing in under the scrutiny of the four watchful citizens posted outside.

While these affairs were progressing, Soapy Smith, still packing his Winchester, dropped in at several resorts, attempting to bolster the faint-hearted he found inside, while his runners kept him advised of the actions of the Vigilantes.

"Boys," he said, as he stood at one bar, "you may be weakening, but I'm not. I'm going down to Juneau Wharf, and I'm going to talk to the meeting in your behalf. No use of a crowd of us going. I'll take all the responsibility, and they'll listen to me. This isn't my first gamble with my life."

"But, Soapy, it'll be suicide," protested Bill Tener, the bartender, in great alarm. "A fine excuse they'll have for bumping you off when they see you coming with that rifle."

"Bill," Soapy retorted, "a man never gained a damned thing in this world by showing the white feather. I can't tell you exactly how I'll do it, but I'm going to bust up that meeting. See you all later. Good-bye."

The good-byes which followed him were almost



dismally ominous as he walked jauntily out and, with his Winchester over his shoulder, headed for the wharf, a solitary and defiant figure in the dim light of midsummer night, the courageous champion of an unrighteous cause.

“Halt! Throw up your hands!”

The words cracked sharply from the semidarkness as he drew near the wharf. Soapy stopped in his tracks but, instead of raising his hands, he swung his rifle from his shoulder. As he did so, he recognized his challenger as City Engineer Reid, patrolling the approach to the wharf. The engineer's six-gun was cocked and, as Smith not only failed to comply with his command but made an apparently aggressive move, he raised it swiftly and threateningly.

“My God, don't shoot!” shouted Soapy, the last words he ever spoke. His cry came too late. Reid, knowing well the deadly menace of the rifle in the hands of Smith, pulled the trigger of his Colt. Luck was against him. The hammer snapped futilely on a defective cartridge and, as he hastily cocked it again, Soapy had the chance to swing up his rifle. Reid pulled the trigger of his gun a second time. Two reports roared out, sounding almost as one, and both men sank to the ground. As he fell, mortally wounded, the engineer fired again, but

there was no need. The first shot had pierced Soapy Smith's heart.

A scream sounded, bursting from the lips of Mrs. Harriet Pullen, who, out searching for her young son, had stumbled upon the scene just in time to be an eyewitness of the tragedy. Then a chorus of shouts came from the direction of the wharf, and a moment later a crowd of raging men had reached the scene, to find Smith quite dead and Reid dying. The engineer was rushed to Bishop Rowe Hospital, where he gasped out his life twelve days later.

"Up through the steamboat wharf and through Skagway's main street," said the *Alaskan* next day, "sped the figure of a slim-built young man whose moccasined feet gave out no sound as, on the dead run, they flew over the wooden sidewalks and who, at every hundred feet or so, yelled out with vibrant, resounding voice that cut through the still evening air with awful distinctness:

"Soapy's killed!"

Then hell popped in Skagway.

Those words, ringing through the summer night, let loose the flood of vengeance. With whoops and shouts, the armed Vigilantes from Juneau Wharf led the long-suffering and patient citizenry in a savage hue and cry after the gangsters who had overrun the city so long. In a panic the throng of

criminals who had taken shelter in saloons, dance halls, gambling dens, and shacks forgot all their plans for self-defense. This rumbling, roaring crowd meant business. With Soapy gone, the outlaws realized that their leaderless cause was hopeless, and they took to full flight along the river bank, up the shore, up the trail into the mountains, leaping rocks, hiding in gullies, and dodging into the woods, anywhere, everywhere, to escape their vengeful pursuers.

Tough saloons were raided. Thugs were slugged, tasting a dose of their own medicine. Confidence men, burglars, robbers, and sneaks were clubbed and shot at, many of them wounded as they beat a panic-stricken retreat.

"If any crook resists, shoot him down," was the order issued to the now frenzied mob as the night went on. Forty criminals and suspects were captured during the hunt and lodged in Skagway jail while, outside, a yelling mob howled for a lynching bee. Ropes were stretched and guns put in order for a bloody raid upon the jail. But word of the Skagway revolt had already reached Dyea, and the United States infantry stationed there, commanded by Captain Yeatman, had come on the double quick and now reached the jail just in time to block the slaughter of the prisoners.

The crowd was wrathful against the invasion of

the soldiers, but Captain Yeatman held a quick conference with the leaders of the Vigilantes which concluded with the dispersing of the mob at the jail, although the captain found it necessary to threaten martial law for the town before gaining his point.

And in the meanwhile, unwept and unhonored, almost forgotten in the swirl of events that followed the shooting, the body of Soapy Smith lay where it had fallen. For hours it remained there unnoticed until, at last, shortly before dawn, one, among all the hundreds he had befriended in the days of his charity, remembered. A poor widow whom he had helped in time of stress, learning the cause of the tumult which had kept her awake through the night, went in search of Smith's body and, finding it, had it removed to the morgue.

The work of cleaning up the town did not stop with the night. It was pursued as vigorously throughout the next day. Never did a community have a speedier or more thorough renovation. Saloons were closed by the Vigilantes, and gambling was stopped. Not forgetting the primary cause of the uprising, the Vigilantes made a thorough search for Stewart's poke and eventually found it. It was short five hundred dollars' worth of the gold dust it had contained, but the owner was happy to recover what remained.

It was decided to deport all prisoners with the exception of those accused of felony. Under armed guard, the offenders were escorted to Juneau Wharf and forced to board the steamer *Tartar*. Some of them protested volubly, but the Vigilantes were in complete control and inclined to show no mercy. As a grim jest designed to keep their own record clear, the Vigilantes compelled each deportee to state that he was leaving Skagway of his own free will before being pushed aboard ship. In addition, all were admonished never to set foot in Skagway again under penalty of immediate hanging to the nearest tree.

Soapy Smith's funeral was held in the church which he had helped to found, and the sermon was delivered by the minister to whose financial aid he had come so often. The church was crowded, and the minister was deeply impressive, choosing as his text, "The way of transgressors is hard." He spoke of Smith's many good works with genuine emotion and appreciation, but solemnly pointed out that these had not sufficed to offset the wrongdoing which had been the keynote of the dead man's career.

Skagway had not yet finished with him. Some time later, as a grisly warning to evildoers, an enormous representation of a human skull, thirty feet high, was carved from the rock of a hill towering

above the city. And on it was inscribed, "SOAPY SMITH."

For years the only marker on his grave in Skagway cemetery was a wooden headpiece with the simple inscription:

JEFFERSON R. SMITH

Aged 38

Died July 8, 1898

Curious tourists carved their initials upon it. Others chipped off splinters for souvenirs until the dead man's name was nearly obliterated. But, a year or two ago, Thomas Kearny of St. Louis, a former friend of Soapy's, sent to Mrs. Pullen a check with instructions to have what remained of the old headpiece removed and a marble slab put in its place. This was done. Not far from Soapy's resting place were interred the remains of City Engineer Reid. But upon this grave stands a large monument, erected to his memory by the people of Skagway.

Thus, in four days, Soapy Smith had descended from the heights of public acclaim to the lowly death of an outlaw, fallen from his highest peak to his deepest valley, his life epitomized in those two incongruous events separated by less than one hundred hours. With his passing, the entire com-

plexion of life in the North was changed. When the echoes of that one great night and day of cleansing had died, law was established and order held sway at the portal of the Klondike.

The wheel of fortune of Soapy Smith and his merry men had come to a full stop.

THE END











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